

# Union Calendar No. 413

108TH CONGRESS  
2D SESSION

# H. R. 5041

[Report No. 108-674]

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2005, and for other purposes.

---

## IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 9, 2004

Mr. WALSH, from the Committee on Appropriations, reported the following bill; which was committed to the Committee of the Whole House on the State of the Union and ordered to be printed

---

## A BILL

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2005, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*  
3       That the following sums are appropriated, out of any  
4       money in the Treasury not otherwise appropriated, for the

1 Departments of Veterans Affairs and Housing and Urban  
2 Development, and for sundry independent agencies,  
3 boards, commissions, corporations, and offices for the fis-  
4 cal year ending September 30, 2005, and for other pur-  
5 poses, namely:

6 TITLE I—DEPARTMENT OF VETERANS AFFAIRS

7 VETERANS BENEFITS ADMINISTRATION

8 COMPENSATION AND PENSIONS

9 (INCLUDING TRANSFER OF FUNDS)

10 For the payment of compensation benefits to or on  
11 behalf of veterans and a pilot program for disability ex-  
12 aminations as authorized by law (38 U.S.C. 107, chapters  
13 11, 13, 18, 51, 53, 55, and 61); pension benefits to or  
14 on behalf of veterans as authorized by law (38 U.S.C.  
15 chapters 15, 51, 53, 55, and 61; 92 Stat. 2508); and bur-  
16 ial benefits, emergency and other officers' retirement pay,  
17 adjusted-service credits and certificates, payment of pre-  
18 miums due on commercial life insurance policies guaran-  
19 teed under the provisions of article IV of the Soldiers' and  
20 Sailors' Civil Relief Act of 1940 (50 U.S.C. App. 540 et  
21 seq.) and for other benefits as authorized by law (38  
22 U.S.C. 107, 1312, 1977, and 2106, chapters 23, 51, 53,  
23 55, and 61; 50 U.S.C. App. 540–548; 43 Stat. 122, 123;  
24 45 Stat. 735; 76 Stat. 1198), \$32,607,688,000, to remain  
25 available until expended: *Provided*, That not to exceed  
26 \$20,703,000 of the amount appropriated under this head-

ing shall be reimbursed to “General operating expenses”  
 and “Medical services” for necessary expenses in imple-  
 menting those provisions authorized in the Omnibus  
 Budget Reconciliation Act of 1990, and in the Veterans’  
 Benefits Act of 1992 (38 U.S.C. chapters 51, 53, and 55),  
 the funding source for which is specifically provided as the  
 “Compensation and pensions” appropriation: *Provided*  
*further*, That such sums as may be earned on an actual  
 qualifying patient basis, shall be reimbursed to “Medical  
 facilities revolving fund” to augment the funding of indi-  
 vidual medical facilities for nursing home care provided  
 to pensioners as authorized.

#### 13 READJUSTMENT BENEFITS

14 For the payment of readjustment and rehabilitation  
 15 benefits to or on behalf of veterans as authorized by law  
 16 (38 U.S.C. chapters 21, 30, 31, 34, 35, 36, 39, 51, 53,  
 17 55, and 61), \$2,556,232,000, to remain available until ex-  
 18 pended: *Provided*, That expenses for rehabilitation pro-  
 19 gram services and assistance which the Secretary is au-  
 20 thorized to provide under section 3104(a) of title 38,  
 21 United States Code, other than under subsection (a)(1),  
 22 (2), (5), and (11) of that section, shall be charged to this  
 23 account.

#### 24 VETERANS INSURANCE AND INDEMNITIES

25 For military and naval insurance, national service life  
 26 insurance, servicemen’s indemnities, service-disabled vet-

erans insurance, and veterans mortgage life insurance as authorized by 38 U.S.C. chapter 19; 70 Stat. 887; 72 Stat. 487, \$44,380,000, to remain available until expended.

VETERANS HOUSING BENEFIT PROGRAM FUND PROGRAM  
ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct and guaranteed loans, such sums as may be necessary to carry out the program, as authorized by 38 U.S.C. chapter 37, as amended: *Provided*, That such costs, including the cost of modifying such loans, shall be as defined in section 502 of the Congressional Budget Act of 1974, as amended: *Provided further*, That during fiscal year 2005, within the resources available, not to exceed \$500,000 in gross obligations for direct loans are authorized for specially adapted housing loans.

In addition, for administrative expenses to carry out the direct and guaranteed loan programs, \$154,075,000, which may be transferred to and merged with the appropriation for “General operating expenses”.

VOCATIONAL REHABILITATION LOANS PROGRAM  
ACCOUNT

(INCLUDING TRANSFER OF FUNDS)

For the cost of direct loans, \$47,000, as authorized by 38 U.S.C. chapter 31, as amended: *Provided*, That such

7 In addition, for administrative expenses necessary to  
8 carry out the direct loan program, \$311,000, which may  
9 be transferred to and merged with the appropriation for  
10 “General operating expenses”.

12 ACCOUNT

14 For administrative expenses to carry out the direct  
15 loan program authorized by 38 U.S.C. chapter 37, sub-  
16 chapter V, as amended, \$571,000, which may be trans-  
17 ferred to and merged with the appropriation for “General  
18 operating expenses”: *Provided*, That no new loans in ex-  
19 cess of \$50,000,000 may be made in fiscal year 2005.

## 21 HOMELESS VETERANS PROGRAM ACCOUNT

For the administrative expenses to carry out the guaranteed transitional housing loan program authorized by 38 U.S.C. chapter 37, subchapter VI, not to exceed \$750,000 of the amounts appropriated by this Act for

1 “General operating expenses” and “Medical services” may  
2 be expended.

3 VETERANS HEALTH ADMINISTRATION

4 MEDICAL SERVICES

5 For necessary expenses for furnishing, as authorized  
6 by law, inpatient and outpatient care and treatment to  
7 beneficiaries of the Department of Veterans Affairs and  
8 veterans described in paragraphs (1) through (8) of sec-  
9 tion 1705(a) of title 38, United States Code, including  
10 care and treatment in facilities not under the jurisdiction  
11 of the department and including medical supplies and  
12 equipment and salaries and expenses of health-care em-  
13 ployees hired under title 38, United States Code, and aid  
14 to State homes as authorized by section 1741 of title 38,  
15 United States Code; \$19,498,600,000, plus reimburse-  
16 ments: *Provided*, That of the funds made available under  
17 this heading, not to exceed \$1,100,000,000 shall be avail-  
18 able until September 30, 2006: *Provided further*, That,  
19 notwithstanding any other provision of law, the Secretary  
20 of Veterans Affairs shall establish a priority for treatment  
21 for veterans who are service-connected disabled, lower in-  
22 come, or have special needs: *Provided further*, That, not-  
23 withstanding any other provision of law, the Secretary of  
24 Veterans Affairs shall give priority funding for the provi-  
25 sion of basic medical benefits to veterans in enrollment

1 priority groups 1 through 6: *Provided further*, That of the  
2 funds made available under this heading, the Secretary  
3 may transfer up to \$400,000,000 to “Construction, major  
4 projects” for purposes of implementing CARES subject to  
5 a determination by the Secretary that such funds will im-  
6 prove access and quality of veteran’s health care needs:  
7 *Provided further*, That of the funds made available under  
8 this heading, the Secretary may transfer up to  
9 \$75,000,000 to “General operating expenses” for costs as-  
10 sociated with processing claims where the basis of the enti-  
11 tlement is claimed disability incurred as a result of a  
12 veteren’s service, subject to a determination by the Sec-  
13 retary of Veterans Affairs that such additional funds are  
14 necessary: *Provided further*, That, notwithstanding any  
15 other provision of law, the Secretary of Veterans Affairs  
16 may authorize the dispensing of prescription drugs from  
17 Veterans Health Administration facilities to enrolled vet-  
18 erans with privately written prescriptions based on re-  
19 quirements established by the Secretary: *Provided further*,  
20 That the implementation of the program described in the  
21 previous proviso shall incur no additional cost to the De-  
22 partment of Veterans Affairs: *Provided further*, For the  
23 DoD/VA Health Care Sharing Incentive Fund, as author-  
24 ized by section 721 of Public Law 107–317, to transfer

1 a minimum of \$15,000,000 to remain available until ex-  
2 pended for any purpose authorized by 38 U.S.C. 8111.

3 MEDICAL ADMINISTRATION

4 For necessary expenses in the administration of the  
5 medical, hospital, nursing home, domiciliary, construction,  
6 supply, and research activities, as authorized by law; ad-  
7 ministrative expenses in support of capital policy activi-  
8 ties; information technology hardware and software; uni-  
9 forms or allowances therefor, as authorized by sections  
10 5901–5902 of title 5, United States Code; and administra-  
11 tive and legal expenses of the department for collecting  
12 and recovering amounts owed the department as author-  
13 ized under chapter 17 of title 38, United States Code, and  
14 the Federal Medical Care Recovery Act (42 U.S.C. 2651  
15 et seq.); \$4,705,000,000, of which \$150,000,000 shall be  
16 available until September 30, 2006, plus reimbursements.

17 MEDICAL FACILITIES

18 For necessary expenses for the maintenance and op-  
19 eration of hospitals, nursing homes, and domiciliary facili-  
20 ties and other necessary facilities for the Veterans Health  
21 Administration; for administrative expenses in support of  
22 planning, design, project management, real property ac-  
23 quisition and disposition, construction and renovation of  
24 any facility under the jurisdiction or for the use of the  
25 department; for oversight, engineering and architectural



1 activities not charged to project costs; for repairing, alter-  
2 ing, improving or providing facilities in the several hos-  
3 pitals and homes under the jurisdiction of the department,  
4 not otherwise provided for, either by contract or by the  
5 hire of temporary employees and purchase of materials;  
6 for leases of facilities; and for laundry and food services,  
7 \$3,745,000,000, of which \$150,000,000 shall be available  
8 until September 30, 2006.

9 MEDICAL AND PROSTHETIC RESEARCH

10 For necessary expenses in carrying out programs of  
11 medical and prosthetic research and development as au-  
12 thorized by chapter 73 of title 38, United States Code,  
13 to remain available until September 30, 2006,  
14 \$384,770,000, plus reimbursements.

15 DEPARTMENTAL ADMINISTRATION

16 GENERAL OPERATING EXPENSES

17 For necessary operating expenses of the Department  
18 of Veterans Affairs, not otherwise provided for, including  
19 administrative expenses in support of department-wide  
20 capital planning, management and policy activities, uni-  
21 forms or allowances therefor; not to exceed \$25,000 for  
22 official reception and representation expenses; hire of pas-  
23 senger motor vehicles; and reimbursement of the General  
24 Services Administration for security guard services, and  
25 the Department of Defense for the cost of overseas em-  
26 ployee mail, \$1,319,753,000: *Provided*, That expenses for

1 services and assistance authorized under 38 U.S.C.  
2 3104(a)(1), (2), (5), and (11) that the Secretary deter-  
3 mines are necessary to enable entitled veterans: (1) to the  
4 maximum extent feasible, to become employable and to ob-  
5 tain and maintain suitable employment; or (2) to achieve  
6 maximum independence in daily living, shall be charged  
7 to this account: *Provided further*, That the Veterans Bene-  
8 fits Administration shall be funded at not less than  
9 \$1,027,193,000: *Provided further*, That of the funds made  
10 available under this heading, not to exceed \$66,000,000  
11 shall be available for obligation until September 30, 2006:  
12 *Provided further*, That from the funds made available  
13 under this heading, the Veterans Benefits Administration  
14 may purchase up to two passenger motor vehicles for use  
15 in operations of that Administration in Manila, Phil-  
16 ippines.

17 NATIONAL CEMETERY ADMINISTRATION

18 For necessary expenses of the National Cemetery Ad-  
19 ministration for operations and maintenance, not other-  
20 wise provided for, including uniforms or allowances there-  
21 for; cemeterial expenses as authorized by law; purchase  
22 of one passenger motor vehicle for use in cemeterial oper-  
23 ations; and hire of passenger motor vehicles,  
24 \$148,925,000: *Provided*, That of the funds made available

1 under this heading, not to exceed \$7,400,000 shall be  
2 available until September 30, 2006.

3 OFFICE OF INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector  
5 General in carrying out the provisions of the Inspector  
6 General Act of 1978, as amended, \$69,711,000, to remain  
7 available until September 30, 2006.

8 CONSTRUCTION, MAJOR PROJECTS

9 For constructing, altering, extending and improving  
10 any of the facilities including parking projects under the  
11 jurisdiction or for the use of the Department of Veterans  
12 Affairs, or for any of the purposes set forth in sections  
13 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110,  
14 and 8122 of title 38, United States Code, including plan-  
15 ning, architectural and engineering services, maintenance  
16 or guarantee period services costs associated with equip-  
17 ment guarantees provided under the project, services of  
18 claims analysts, offsite utility and storm drainage system  
19 construction costs, and site acquisition, where the esti-  
20 mated cost of a project is more than the amount set forth  
21 in 38 U.S.C. 8104(a)(3)(A) or where funds for a project  
22 were made available in a previous major project appropria-  
23 tion, \$458,800,000, to remain available until expended, of  
24 which \$370,709,000 shall be for Capital Asset Realign-  
25 ment for Enhanced Services (CARES) activities; and of  
26 which \$10,000,000 shall be to make reimbursements as

1 provided in 41 U.S.C. 612 for claims paid for contract  
2 disputes: *Provided*, That except for advance planning ac-  
3 tivities, including needs assessments which may or may  
4 not lead to capital investments, and other capital asset  
5 management related activities, such as portfolio develop-  
6 ment and management activities, and investment strategy  
7 studies funded through the advance planning fund and the  
8 planning and design activities funded through the design  
9 fund and CARES funds, including needs assessments  
10 which may or may not lead to capital investments, none  
11 of the funds appropriated under this heading shall be used  
12 for any project which has not been approved by the Con-  
13 gress in the budgetary process: *Provided further*, That  
14 funds provided in this appropriation for fiscal year 2005,  
15 for each approved project (except those for CARES activi-  
16 ties referenced above) shall be obligated: (1) by the award-  
17 ing of a construction documents contract by September  
18 30, 2005; and (2) by the awarding of a construction con-  
19 tract by September 30, 2006: *Provided further*, That the  
20 Secretary of Veterans Affairs shall promptly report in  
21 writing to the Committees on Appropriations any ap-  
22 proved major construction project in which obligations are  
23 not incurred within the time limitations established above.

## CONSTRUCTION, MINOR PROJECTS

For constructing, altering, extending, and improving any of the facilities including parking projects under the jurisdiction or for the use of the Department of Veterans Affairs, including planning and assessments of needs which may lead to capital investments, architectural and engineering services, maintenance or guarantee period services costs associated with equipment guarantees provided under the project, services of claims analysts, offsite utility and storm drainage system construction costs, and site acquisition, or for any of the purposes set forth in sections 316, 2404, 2406, 8102, 8103, 8106, 8108, 8109, 8110, 8122, and 8162 of title 38, United States Code, where the estimated cost of a project is equal to or less than the amount set forth in 38 U.S.C. 8104(a)(3)(A), \$230,799,000, to remain available until expended, along with unobligated balances of previous “Construction, minor projects” appropriations which are hereby made available for any project where the estimated cost is equal to or less than the amount set forth in 38 U.S.C. 8104(a)(3)(A), of which \$162,100,000 shall be for Capital Asset Realignment for Enhanced Services (CARES) activities: *Provided*, That from amounts appropriated under this heading, additional amounts may be used for CARES activities upon notification of and approval by the Com-

1 mittees on Appropriations: *Provided further*, That funds  
2 in this account shall be available for: (1) repairs to any  
3 of the nonmedical facilities under the jurisdiction or for  
4 the use of the department which are necessary because  
5 of loss or damage caused by any natural disaster or catas-  
6 trophe; and (2) temporary measures necessary to prevent  
7 or to minimize further loss by such causes.

8 GRANTS FOR CONSTRUCTION OF STATE EXTENDED CARE  
9 FACILITIES

10 For grants to assist States to acquire or construct  
11 State nursing home and domiciliary facilities and to re-  
12 model, modify or alter existing hospital, nursing home and  
13 domiciliary facilities in State homes, for furnishing care  
14 to veterans as authorized by 38 U.S.C. 8131–8137,  
15 \$105,163,000, to remain available until expended.

16 GRANTS FOR THE CONSTRUCTION OF STATE VETERANS  
17 CEMETERIES

18 For grants to aid States in establishing, expanding,  
19 or improving State veterans cemeteries as authorized by  
20 38 U.S.C. 2408, \$32,000,000, to remain available until  
21 expended.

22 ADMINISTRATIVE PROVISIONS  
23 (INCLUDING TRANSFER OF FUNDS)

24 SEC. 101. Any appropriation for fiscal year 2005 for  
25 “Compensation and pensions”, “Readjustment benefits”,

1 and “Veterans insurance and indemnities” may be trans-  
2 ferred to any other of the mentioned appropriations.

3 SEC. 102. Appropriations available to the Depart-  
4 ment of Veterans Affairs for fiscal year 2005 for salaries  
5 and expenses shall be available for services authorized by  
6 5 U.S.C. 3109; hire of passenger motor vehicles; lease of  
7 a facility or land or both; and uniforms or allowances  
8 therefore, as authorized by 5 U.S.C. 5901–5902.

9 SEC. 103. No appropriations in this Act for the De-  
10 partment of Veterans Affairs (except the appropriations  
11 for “Construction, major projects”, “Construction, minor  
12 projects”, and the “Parking revolving fund”) shall be  
13 available for the purchase of any site for or toward the  
14 construction of any new hospital or home.

15 SEC. 104. No appropriations in this Act for the De-  
16 partment of Veterans Affairs shall be available for hos-  
17 pitalization or examination of any persons (except bene-  
18 ficiaries entitled under the laws bestowing such benefits  
19 to veterans, and persons receiving such treatment under  
20 5 U.S.C. 7901–7904 or 42 U.S.C. 5141–5204), unless re-  
21 imbursement of cost is made to the “Medical services” ac-  
22 count at such rates as may be fixed by the Secretary of  
23 Veterans Affairs.

24 SEC. 105. Appropriations available to the Depart-  
25 ment of Veterans Affairs for fiscal year 2005 for “Com-

1 pension and pensions”, “Readjustment benefits”, and  
2 “Veterans insurance and indemnities” shall be available  
3 for payment of prior year accrued obligations required to  
4 be recorded by law against the corresponding prior year  
5 accounts within the last quarter of fiscal year 2004.

6       SEC. 106. Appropriations accounts available to the  
7 Department of Veterans Affairs for fiscal year 2005 shall  
8 be available to pay prior year obligations of corresponding  
9 prior year appropriations accounts resulting from title X  
10 of the Competitive Equality Banking Act, Public Law  
11 100–86, except that if such obligations are from trust  
12 fund accounts they shall be payable from “Compensation  
13 and pensions”.

14       SEC. 107. Notwithstanding any other provision of  
15 law, during fiscal year 2005, the Secretary of Veterans  
16 Affairs shall, from the National Service Life Insurance  
17 Fund (38 U.S.C. 1920), the Veterans’ Special Life Insur-  
18 ance Fund (38 U.S.C. 1923), and the United States Gov-  
19 ernment Life Insurance Fund (38 U.S.C. 1955), reim-  
20 burse the “General operating expenses” account for the  
21 cost of administration of the insurance programs financed  
22 through those accounts: *Provided*, That reimbursement  
23 shall be made only from the surplus earnings accumulated  
24 in an insurance program in fiscal year 2005 that are avail-  
25 able for dividends in that program after claims have been



1 paid and actuarially determined reserves have been set  
2 aside: *Provided further*, That if the cost of administration  
3 of an insurance program exceeds the amount of surplus  
4 earnings accumulated in that program, reimbursement  
5 shall be made only to the extent of such surplus earnings:  
6 *Provided further*, That the Secretary shall determine the  
7 cost of administration for fiscal year 2005 which is prop-  
8 erly allocable to the provision of each insurance program  
9 and to the provision of any total disability income insur-  
10 ance included in such insurance program.

11 SEC. 108. Notwithstanding any other provision of  
12 law, the Department of Veterans Affairs shall continue the  
13 Franchise Fund pilot program authorized to be estab-  
14 lished by section 403 of Public Law 103–356 until Octo-  
15 ber 1, 2005: *Provided*, That the Franchise Fund, estab-  
16 lished by title I of Public Law 104–204 to finance the  
17 operations of the Franchise Fund pilot program, shall con-  
18 tinue until October 1, 2005.

19 SEC. 109. Amounts deducted from enhanced-use  
20 lease proceeds to reimburse an account for expenses in-  
21 curred by that account during a prior fiscal year for pro-  
22 viding enhanced-use lease services, may be obligated dur-  
23 ing the fiscal year in which the proceeds are received.

24 SEC. 110. Funds available in any Department of Vet-  
25 erans Affairs appropriation for fiscal year 2005 or funds

1 for salaries and other administrative expenses shall also  
2 be available to reimburse the Office of Resolution Manage-  
3 ment and the Office of Employment Discrimination Com-  
4 plaint Adjudication for all services provided at rates which  
5 will recover actual costs but not exceed \$29,318,000 for  
6 the Office of Resolution Management and \$3,059,000 for  
7 the Office of Employment and Discrimination Complaint  
8 Adjudication: *Provided*, That payments may be made in  
9 advance for services to be furnished based on estimated  
10 costs: *Provided further*, That amounts received shall be  
11 credited to “General operating expenses” for use by the  
12 office that provided the service.

13 SEC. 111. No appropriations in this Act for the De-  
14 partment of Veterans Affairs shall be available to enter  
15 into any new lease of real property if the estimated annual  
16 rental is more than \$300,000 unless the Secretary submits  
17 a report which the Committees on Appropriations of the  
18 Congress approve within 30 days following the date on  
19 which the report is received.

20 SEC. 112. No funds of the Department of Veterans  
21 Affairs shall be available for hospital care, nursing home  
22 care, or medical services provided to any person under  
23 chapter 17 of title 38, United States Code, for a non-serv-  
24 ice-connected disability described in section 1729(a)(2) of  
25 such title, unless that person has disclosed to the Sec-

1   retary of Veterans Affairs, in such form as the Secretary  
2   may require, current, accurate third-party reimbursement  
3   information for purposes of section 1729 of such title: *Pro-*  
4   *vided*, That the Secretary may recover, in the same man-  
5   ner as any other debt due the United States, the reason-  
6   able charges for such care or services from any person who  
7   does not make such disclosure as required: *Provided fur-*  
8   *ther*, That any amounts so recovered for care or services  
9   provided in a prior fiscal year may be obligated by the  
10   Secretary during the fiscal year in which amounts are re-  
11   ceived.

12       SEC. 113. Of the amounts provided in this Act,  
13   \$25,000,000 shall be for information technology initiatives  
14   to support the enterprise architecture of the Department  
15   of Veterans Affairs.

16       SEC. 114. None of the funds made available to the  
17   Department in this Act, or any other Act, may be used  
18   to implement sections 2 and 5 of Public Law 107–287.

19       SEC. 115. (a) Hereafter receipts that would otherwise  
20   be credited to the accounts listed in subsection (c) shall  
21   be deposited into the Medical Care Collections Fund, and  
22   shall be transferred to and merged with the “Medical serv-  
23   ices” account, and subsequent years, to remain available  
24   until expended, to carry out the purposes of the “Medical  
25   services” account.

1 (b) The unobligated balances in the accounts listed  
2 in subsection (c), shall be transferred to and merged with  
3 the “Medical services” account in fiscal year 2005 and  
4 subsequent years, and remain available until expended, to  
5 carry out the purposes of the “Medical services” account:  
6 *Provided*, That the obligated balances in these accounts  
7 may be transferred to the “Medical services” account at  
8 the discretion of the Secretary of Veterans Affairs and  
9 shall remain available until expended.

10 (c) Veterans Extended Care Revolving Fund; Medical  
11 Facilities Revolving Fund; Special Therapeutic and Reha-  
12 bilitation Fund; Nursing Home Revolving Fund; Veterans  
13 Health Services Improvement Fund; and Parking Revolv-  
14 ing Fund.

15 SEC. 116. (a) The Secretary of Veterans Affairs shall  
16 conduct by contract a program of recovery audits for the  
17 fee basis and other medical services contracts with respect  
18 to payments for hospital care. Notwithstanding section  
19 3302(b) of title 31, United States Code, amounts col-  
20 lected, by setoff or otherwise, as the result of such audits  
21 shall be available, without fiscal year limitation, for the  
22 purposes for which funds are appropriated under “Medical  
23 services” and the purposes of paying a contractor a per-  
24 cent of the amount collected as a result of an audit carried  
25 out by the contractor.

1 (b) All amounts so collected under subsection (a) with  
2 respect to a designated health care region (as that term  
3 is defined in section 1729A(d)(2) of title 38, United States  
4 Code) shall be allocated, net of payments to the con-  
5 tractor, to that region.

6 SEC. 117. Notwithstanding any other provision of  
7 law, at the discretion of the Secretary of Veterans Affairs,  
8 proceeds or revenues derived from enhanced-use leasing  
9 activities (including disposal) that are deposited into the  
10 Medical Care Collections Fund may be transferred and  
11 merged with “Construction, major projects” and “Con-  
12 struction, minor projects” accounts and be used for con-  
13 struction (including site acquisition and disposition), alter-  
14 ations and improvements of any medical facility under the  
15 jurisdiction or for the use of the Department of Veterans  
16 Affairs. Such sums as realized are in addition to the  
17 amount provided for in “Construction, major projects”  
18 and “Construction, minor projects”.

19 SEC. 118. Amounts made available under “Medical  
20 services” are available—

- 21 (1) for furnishing recreational facilities, sup-  
22 plies, and equipment; and  
23 (2) for funeral expenses, burial expenses, and  
24 other expenses incidental to funerals and burials for  
25 beneficiaries receiving care in the department.

1        SEC. 119. That such sums as may be deposited to  
2 the Medical Care Collections Fund pursuant to 38 U.S.C.  
3 1729A may be transferred to “Medical services”, to re-  
4 main available until expended for the purposes of this ac-  
5 count.

6        SEC. 120. Amounts made available for fiscal year  
7 2005 under the “Medical services”, “Medical administra-  
8 tion”, and “Medical facilities” accounts may be trans-  
9 ferred between the accounts to the extent necessary to im-  
10 plement the restructuring of the Veterans Health Admin-  
11 istration accounts after notice of the amount and purpose  
12 of the transfer is provided to the Committees on Appro-  
13 priations of the Senate and House of Representatives and  
14 a period of 30 days has elapsed: *Provided*, That the limita-  
15 tion on transfers is 20 percent in fiscal year 2005.

16       SEC. 121. Any appropriation for fiscal year 2005 for  
17 the Veterans Benefits Administration made available  
18 under the heading “General operating expenses” may be  
19 transferred to the “Veterans Housing Benefit Program  
20 Fund Program Account” for the purpose of providing  
21 funds for the nationwide property management contract  
22 if the administrative costs of such contract exceed  
23 \$8,800,000 in the budget year.

24       SEC. 122. The Department of Veterans Affairs is au-  
25 thorized to expend such sums as are available in the unob-

1 ligated balances of the funds originally appropriated to  
 2 “Medical Care” for emergency expenses resulting from the  
 3 January 1994 earthquake in Southern California in Public  
 4 Law 103–211, Emergency Supplemental Appropriations  
 5 Act of 1994, for the same purposes of the “Medical Serv-  
 6 ices” account, to remain available until expended.

7       TITLE II—DEPARTMENT OF HOUSING AND  
 8                   URBAN DEVELOPMENT  
 9                   PUBLIC AND INDIAN HOUSING  
 10                  TENANT-BASED RENTAL ASSISTANCE  
 11                  (INCLUDING TRANSFER OF FUNDS)

12       For activities and assistance for the provision of ten-  
 13 ant-based rental assistance authorized under the United  
 14 States Housing Act of 1937, as amended (42 U.S.C. 1437  
 15 et seq.) (“the Act” herein), not otherwise provided for,  
 16 \$14,677,055,000, to remain available until expended, of  
 17 which \$10,477,055,000 shall be available on October 1,  
 18 2004 and \$4,200,000,000 shall be available on October  
 19 1, 2005: *Provided*, That the amounts made available under  
 20 this heading are provided as follows:

21               (1) \$13,303,177,000 for renewals of expiring  
 22       section 8 tenant-based annual contributions con-  
 23       tracts (including renewals of enhanced vouchers  
 24       under any provision of law authorizing such assist-  
 25       ance under section 8(t) of the Act): *Provided*, That  
 26       none of the funds provided in this paragraph may be

1 used to support a total number of unit months  
2 under lease which exceeds a public housing agency's  
3 authorized level of units under contract;

4 (2) \$163,000,000 for section 8 rental assistance  
5 for relocation and replacement of housing units that  
6 are demolished or disposed of pursuant to the Omni-  
7 bus Consolidated Rescissions and Appropriations Act  
8 of 1996 (Public Law 104–134), conversion of section  
9 23 projects to assistance under section 8, the family  
10 unification program under section 8(x) of the Act,  
11 relocation of witnesses in connection with efforts to  
12 combat crime in public and assisted housing pursu-  
13 ant to a request from a law enforcement or prosecu-  
14 tion agency, enhanced vouchers under any provision  
15 of law authorizing such assistance under section 8(t)  
16 of the Act, and tenant protection assistance, includ-  
17 ing replacement and relocation assistance;

18 (3) \$46,000,000 for family self-sufficiency coor-  
19 dinators under section 23 of the Act;

20 (4) no less than \$2,940,000 shall be transferred  
21 to the Working Capital Fund for the development of  
22 and modifications to information technology systems  
23 which serve programs or activities under “Public  
24 and Indian Housing”; and



1           (5) \$1,161,938,000 for administrative and  
2 other expenses of public housing agencies in admin-  
3 istering the section 8 tenant-based rental assistance  
4 program: *Provided*, That amounts provided in this  
5 paragraph shall be allocated on a pro rata basis to  
6 public housing agencies based on the amount public  
7 housing agencies received in fiscal year 2004: *Pro-*  
8 *vided further*, That all amounts provided under this  
9 paragraph shall be only for activities related to the  
10 provision of tenant-based rental assistance author-  
11 ized under section 8.

12           PROJECT-BASED RENTAL ASSISTANCE

13           (INCLUDING TRANSFER OF FUNDS)

14       For activities and assistance for the provision of  
15 project-based subsidy contracts under the United States  
16 Housing Act of 1937, as amended (42 U.S.C. 1437 et  
17 seq.) (“the Act” herein), not otherwise provided for,  
18 \$5,340,745,000 to remain available until expended: *Pro-*  
19 *vided*, That the amounts made available under this head-  
20 ing are provided as follows:

21           (1) \$5,236,885,000 for expiring or terminating  
22 section 8 project-based subsidy contracts (including  
23 section 8 moderate rehabilitation contracts), for  
24 amendments to section 8 project-based subsidy con-  
25 tracts, for contracts entered into pursuant to section  
26 441 of the McKinney-Vento Homeless Assistance

1 Act, for renewal of section 8 contracts for units in  
2 projects that are subject to approved plans of action  
3 under the Emergency Low Income Housing Preser-  
4 vation Act of 1987 or the Low-Income Housing  
5 Preservation and Resident Homeownership Act of  
6 1990, and for administrative and other expenses as-  
7 sociated with project-based activities and assistance  
8 funded under this paragraph;

9 (2) \$101,900,000 for performance-based con-  
10 tract administrators for section 8 project-based as-  
11 sistance; and

12 (3) no less than \$1,960,000 shall be transferred  
13 to the Working Capital Fund for the development of  
14 and modifications to information technology systems  
15 which serve programs or activities under this head-  
16 ing.

17 PUBLIC HOUSING CAPITAL FUND

18 (INCLUDING TRANSFERS OF FUNDS)

19 For the Public Housing Capital Fund Program to  
20 carry out capital and management activities for public  
21 housing agencies, as authorized under section 9 of the  
22 United States Housing Act of 1937, as amended (42  
23 U.S.C. 1437g) (the “Act”) \$2,580,000,000, to remain  
24 available until September 30, 2008: *Provided*, That not-  
25 withstanding any other provision of law or regulation, dur-  
26 ing fiscal year 2005, the Secretary may not delegate to

1 any Department official other than the Deputy Secretary  
2 and the Assistant Secretary for Public and Indian Hous-  
3 ing any authority under paragraph (2) of section 9(j) re-  
4 garding the extension of the time periods under such sec-  
5 tion: *Provided further*, That for purposes of such section  
6 9(j), the term “obligate” means, with respect to amounts,  
7 that the amounts are subject to a binding agreement that  
8 will result in outlays, immediately or in the future: *Pro-*  
9 *vided further*, That of the total amount provided under  
10 this heading, up to \$37,850,000 shall be for carrying out  
11 activities under section 9(h) of such Act, of which  
12 \$12,440,000 shall be for the provision of remediation serv-  
13 ices to public housing agencies identified as “troubled”  
14 under the Section 8 Management Assessment Program  
15 and for surveys used to calculate local Fair Market Rents  
16 and assess housing conditions in connection with rental  
17 assistance under section 8 of the Act: *Provided further*,  
18 That no less than \$10,150,000 shall be transferred to the  
19 Working Capital Fund for the development of and modi-  
20 fications to information technology systems which serve  
21 programs or activities under “Public and Indian housing”:  
22 *Provided further*, That no funds may be used under this  
23 heading for the purposes specified in section 9(k) of the  
24 United States Housing Act of 1937, as amended: *Provided*  
25 *further*, That of the total amount provided under this

1 heading, up to \$38,000,000 shall be available for the Sec-  
2 retary of Housing and Urban Development to make  
3 grants, notwithstanding section 205 of this Act, to public  
4 housing agencies for emergency capital needs resulting  
5 from unforeseen emergencies and natural disasters occur-  
6 ring in fiscal year 2005: *Provided further*, That of the total  
7 amount provided under this heading, \$52,300,000 shall be  
8 for supportive services, service coordinators and con-  
9 gregate services as authorized by section 34 of the Act  
10 and the Native American Housing Assistance and Self-De-  
11 termination Act of 1996: *Provided further*, That up to  
12 \$5,000,000 to support the costs of administrative and ju-  
13 dicial receiverships or other intervention activities.

14 PUBLIC HOUSING OPERATING FUND

15 For 2005 payments to public housing agencies for the  
16 operation and management of public housing, as author-  
17 ized by section 9(e) of the United States Housing Act of  
18 1937, as amended (42 U.S.C. 1437g(e)), \$3,425,000,000:  
19 *Provided*, That of the total amount provided under this  
20 heading, \$10,000,000 shall be for programs, as deter-  
21 mined appropriate by the Attorney General, which assist  
22 in the investigation, prosecution, and prevention of violent  
23 crimes and drug offenses in public and federally-assisted  
24 low-income housing, including Indian housing, which shall  
25 be administered by the Department of Justice through a  
26 reimbursable agreement with the Department of Housing

1 and Urban Development: *Provided further*, That, in fiscal  
2 year 2005 and all fiscal years hereafter, no amounts under  
3 this heading in any appropriations Act may be used for  
4 payments to public housing agencies for the costs of oper-  
5 ation and management of public housing for any year  
6 prior to the current year of such Act: *Provided further*,  
7 That no funds may be used under this heading for the  
8 purposes specified in section 9(k) of the United States  
9 Housing Act of 1937, as amended.

10 REVITALIZATION OF SEVERELY DISTRESSED PUBLIC

11 HOUSING (HOPE VI)

12 For grants to public housing agencies for demolition,  
13 site revitalization, replacement housing, and tenant-based  
14 assistance grants to projects as authorized by section 24  
15 of the United States Housing Act of 1937, as amended,  
16 \$143,000,000, to remain available until September 30,  
17 2006, of which the Secretary may use up to \$4,000,000  
18 for technical assistance and contract expertise, to be pro-  
19 vided directly or indirectly by grants, contracts or coopera-  
20 tive agreements, including training and cost of necessary  
21 travel for participants in such training, by or to officials  
22 and employees of the department and of public housing  
23 agencies and to residents: *Provided*, That none of such  
24 funds shall be used directly or indirectly by granting com-  
25 petitive advantage in awards to settle litigation or pay  
26 judgments, unless expressly permitted herein.

## 1 NATIVE AMERICAN HOUSING BLOCK GRANTS

## 2 (INCLUDING TRANSFER OF FUNDS)

3 For the Native American Housing Block Grants pro-  
4 gram, as authorized under title I of the Native American  
5 Housing Assistance and Self-Determination Act of 1996  
6 (NAHASDA) (25 U.S.C. 4111 et seq.), \$622,000,000, to  
7 remain available until expended, of which \$2,100,000 shall  
8 be contracted through the Secretary as technical assist-  
9 ance and capacity building to be used by the National  
10 American Indian Housing Council in support of the imple-  
11 mentation of NAHASDA; of which \$4,300,000 shall be  
12 to support the inspection of Indian housing units, contract  
13 expertise, training, and technical assistance in the train-  
14 ing, oversight, and management of Indian housing and  
15 tenant-based assistance, including up to \$300,000 for re-  
16 lated travel; and of which no less than \$2,600,000 shall  
17 be transferred to the Working Capital Fund for develop-  
18 ment of and modifications to information technology sys-  
19 tems which serve programs or activities under “Public and  
20 Indian housing”: *Provided*, That of the amount provided  
21 under this heading, \$1,914,000 shall be made available  
22 for the cost of guaranteed notes and other obligations, as  
23 authorized by title VI of NAHASDA: *Provided further*,  
24 That such costs, including the costs of modifying such  
25 notes and other obligations, shall be as defined in section  
26 502 of the Congressional Budget Act of 1974, as amend-

1 ed: *Provided further*, That these funds are available to sub-  
 2 sidize the total principal amount of any notes and other  
 3 obligations, any part of which is to be guaranteed, not to  
 4 exceed \$17,155,000: *Provided further*, That for adminis-  
 5 trative expenses to carry out the guaranteed loan program,  
 6 up to \$150,000 from amounts in the first proviso, which  
 7 shall be transferred to and merged with the appropriation  
 8 for “Salaries and expenses”, to be used only for the ad-  
 9 ministrative costs of these guarantees.

10 INDIAN HOUSING LOAN GUARANTEE FUND PROGRAM

11 ACCOUNT

12 (INCLUDING TRANSFER OF FUNDS)

13 For the cost of guaranteed loans, as authorized by  
 14 section 184 of the Housing and Community Development  
 15 Act of 1992 (12 U.S.C. 1715z–13a), \$5,000,000, to re-  
 16 main available until expended: *Provided*, That such costs,  
 17 including the costs of modifying such loans, shall be as  
 18 defined in section 502 of the Congressional Budget Act  
 19 of 1974, as amended: *Provided further*, That these funds  
 20 are available to subsidize total loan principal, any part of  
 21 which is to be guaranteed, not to exceed \$145,345,000.

22 In addition, for administrative expenses to carry out  
 23 the guaranteed loan program, up to \$250,000 from  
 24 amounts in the first paragraph, which shall be transferred  
 25 to and merged with the appropriation for “Salaries and

1 expenses”, to be used only for the administrative costs of  
 2 these guarantees.

3 NATIVE HAWAIIAN HOUSING LOAN GUARANTEE FUND

4 PROGRAM ACCOUNT

5 (INCLUDING TRANSFER OF FUNDS)

6 For the cost of guaranteed loans, as authorized by  
 7 section 184A of the Housing and Community Develop-  
 8 ment Act of 1992 (12 U.S.C. 1715z–13b), \$1,000,000, to  
 9 remain available until expended: *Provided*, That such  
 10 costs, including the costs of modifying such loans, shall  
 11 be as defined in section 502 of the Congressional Budget  
 12 Act of 1974, as amended: *Provided further*, That these  
 13 funds are available to subsidize total loan principal, any  
 14 part of which is to be guaranteed, not to exceed  
 15 \$37,403,000.

16 In addition, for administrative expenses to carry out  
 17 the guaranteed loan program, up to \$35,000 from  
 18 amounts in the first paragraph, which shall be transferred  
 19 to and merged with the appropriation for “Salaries and  
 20 expenses”, to be used only for the administrative costs of  
 21 these guarantees.

22 COMMUNITY PLANNING AND DEVELOPMENT

23 HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS

24 For carrying out the Housing Opportunities for Per-  
 25 sons with AIDS program, as authorized by the AIDS  
 26 Housing Opportunity Act (42 U.S.C. 12901 et seq.),



1 \$282,000,000, to remain available until September 30,  
 2 2006: *Provided*, That the Secretary shall renew all expir-  
 3 ing contracts for permanent supportive housing that were  
 4 funded under section 854(c)(3) of such Act that meet all  
 5 program requirements before awarding funds for new con-  
 6 tracts and activities authorized under such Act: *Provided*  
 7 *further*, That the Secretary may use up to \$2,500,000 of  
 8 the funds under this heading for training, oversight, and  
 9 technical assistance activities.

#### 10 RURAL HOUSING AND ECONOMIC DEVELOPMENT

11 For the Office of Rural Housing and Economic De-  
 12 velopment in the Department of Housing and Urban De-  
 13 velopment, \$24,000,000 to remain available until ex-  
 14 pended, which amount shall be competitively awarded by  
 15 September 1, 2005, to Indian tribes, State housing finance  
 16 agencies, State community and/or economic development  
 17 agencies, local rural nonprofits and community develop-  
 18 ment corporations to support innovative housing and eco-  
 19 nomic development activities in rural areas.

#### 20 EMPOWERMENT ZONES/ENTERPRISE COMMUNITIES

21 For grants in connection with a second round of em-  
 22 powerment zones and enterprise communities,  
 23 \$14,250,000, to remain available until September 30,  
 24 2005, for “Urban Empowerment Zones”, as authorized in  
 25 section 1391(g) of the Internal Revenue Code of 1986 (26  
 26 U.S.C. 1391(g)), including \$950,000 for each empower-

1 ment zone for use in conjunction with economic develop-  
 2 ment activities consistent with the strategic plan of each  
 3 empowerment zone.

4 COMMUNITY DEVELOPMENT FUND

5 (INCLUDING TRANSFERS OF FUNDS)

6 For assistance to units of State and local govern-  
 7 ment, and to other entities, for economic and community  
 8 development activities, and for other purposes,  
 9 \$4,711,000,000, to remain available until September 30,  
 10 2007: *Provided*, That of the amount provided,  
 11 \$4,304,900,000 is for carrying out the community devel-  
 12 opment block grant program under title I of the Housing  
 13 and Community Development Act of 1974, as amended  
 14 (the “Act” herein) (42 U.S.C. 5301 et seq.): *Provided fur-*  
 15 *ther*, That unless explicitly provided for under this heading  
 16 (except for planning grants provided in the third para-  
 17 graph and amounts made available in the second para-  
 18 graph), not to exceed 20 percent of any grant made with  
 19 funds appropriated under this heading (other than a grant  
 20 made available in this paragraph to the Housing Assist-  
 21 ance Council or the National American Indian Housing  
 22 Council, or a grant using funds under section 107(b)(3)  
 23 of the Act) shall be expended for planning and manage-  
 24 ment development and administration: *Provided further*,  
 25 That \$69,000,000 shall be for grants to Indian tribes not-  
 26 withstanding section 106(a)(1) of such Act, of which, not-

1 withstanding any other provision of law (including Section  
2 205 of this Act), up to \$4,000,000 may be used for emer-  
3 gencies that constitute imminent threats to health and  
4 safety; \$3,200,000 shall be for a grant to the Housing  
5 Assistance Council; \$2,400,000 shall be for a grant to the  
6 National American Indian Housing Council; \$4,800,000  
7 shall be available as a grant to the National Housing De-  
8 velopment Corporation, for operating expenses not to ex-  
9 ceed \$2,000,000 and for a program of affordable housing  
10 acquisition and rehabilitation; \$4,800,000 shall be avail-  
11 able as a grant to the Raza Development Fund of La Raza  
12 for the HOPE Fund, of which \$500,000 is for technical  
13 assistance and fund management, and \$4,300,000 is for  
14 investments in the HOPE Fund and financing to affiliated  
15 organizations; \$36,700,000 shall be for grants pursuant  
16 to section 107 of the Act, of which \$9,000,000 shall be  
17 for the Native Hawaiian block grant authorized under title  
18 VIII of the Native American Housing Assistance and Self-  
19 Determination Act of 1996; no less than \$3,465,000 shall  
20 be transferred to the Working Capital Fund for the devel-  
21 opment of and modification to information technology sys-  
22 tems which serve programs or activities under “Commu-  
23 nity planning and development”; \$26,000,000 shall be for  
24 grants pursuant to the Self Help Homeownership Oppor-  
25 tunity Program; \$33,500,000 shall be for capacity build-

ing, of which \$28,800,000 shall be for Capacity Building for Community Development and Affordable Housing for LIISC and the Enterprise Foundation for activities as authorized by section 4 of the HUD Demonstration Act of 1993 (42 U.S.C. 9816 note), as in effect immediately before June 12, 1997, with not less than \$4,800,000 of the funding to be used in rural areas, including tribal areas, and of which \$4,700,000 shall be for capacity building activities administered by Habitat for Humanity International; \$2,000,000 shall be for the Special Olympics National Games Organizing Committee for planning, equipment, and operational expenses associated with the 2006 games in Ames, Iowa; \$62,000,000 shall be available for YouthBuild program activities authorized by subtitle D of title IV of the Cranston-Gonzalez National Affordable Housing Act, as amended, and such activities shall be an eligible activity with respect to any funds made available under this heading: *Provided*, That local YouthBuild programs that demonstrate an ability to leverage private and nonprofit funding shall be given a priority for YouthBuild funding: *Provided further*, That no more than 10 percent of any grant award under the YouthBuild program may be used for administrative costs: *Provided further*, That of the amount made available for YouthBuild not less than \$10,000,000 is for grants to establish YouthBuild pro-

1 grams in underserved and rural areas and \$2,000,000 is  
2 to be made available for a grant to YouthBuild USA for  
3 capacity building for community development and afford-  
4 able housing activities as specified in section 4 of the  
5 HUD Demonstration Act of 1993, as amended.

6       Of the amount made available under this heading,  
7 \$21,735,000 shall be available for neighborhood initiatives  
8 that are utilized to improve the conditions of distressed  
9 and blighted areas and neighborhoods, to stimulate invest-  
10 ment, economic diversification, and community revitaliza-  
11 tion in areas with population outmigration or a stagnating  
12 or declining economic base, or to determine whether hous-  
13 ing benefits can be integrated more effectively with welfare  
14 reform initiatives: *Provided*, That amounts made available  
15 under this paragraph shall be provided in accordance with  
16 the terms and conditions specified in the report accom-  
17 panying this Act.

18       Of the amount made available under this heading,  
19 \$136,500,000 shall be available for grants for the Eco-  
20 nomic Development Initiative (EDI) to finance a variety  
21 of targeted economic investments in accordance with the  
22 terms and conditions specified in the report accompanying  
23 this Act: *Provided*, That none of the funds provided under  
24 this paragraph may be used for program operations.

1       The referenced statement of the managers under this  
2 heading in Public Law 108–7 is deemed to be amended  
3 with respect to item number 2 with respect to amounts  
4 made available for the City of Boaz, Alabama by striking  
5 “facilities renovation and expansion” and inserting “con-  
6 struction of a new library”.

7       The referenced statement of the managers under this  
8 heading in Public Law 108–7 is deemed to be amended  
9 with respect to item number 740 by striking “facilities  
10 renovation and construction” and inserting “an economic  
11 development planning study”.

12       The referenced statement of the managers under this  
13 heading in Public Law 108–7 is deemed to be amended  
14 with respect to item number 254 by striking “Greater  
15 Community Council in Louisville, Kentucky for construc-  
16 tion of a facility for low-income, disabled persons” and in-  
17 serting “Portland Promise, Inc. in Louisville, Kentucky  
18 for a multi-purpose facility”.

19       The referenced statement of the managers under this  
20 heading in Public Law 108–7 is deemed to be amended  
21 with respect to item number 10 with respect to amounts  
22 made available to the St. Stephen Family Life Center in  
23 Louisville, Kentucky by striking “renovation” and insert-  
24 ing “construction”.

1       The referenced statement of the managers under this  
2 heading in Public Law 108–7 is deemed to be amended  
3 with respect to item number 584 with respect to amounts  
4 made available for Queens Borough Public Library in  
5 Queens, New York by striking “for facilities rehabilitation  
6 and expansion of the Parsons Boulevard complex” and in-  
7 serting “for facilities construction and renovations”.

8       The referenced statement of the managers under this  
9 heading in Public Law 108–199 is deemed to be amended  
10 with respect to item number 198 by striking “\$160,000  
11 for the Pine Mountain Beautification and Economic De-  
12 velopment project in Harris County, Georgia for  
13 streetscape improvements” and inserting “\$60,000 for the  
14 Beautification and Economic Development project in Har-  
15 ris County, Georgia for streetscape improvements; and  
16 \$99,056 for the Beautification and Economic Develop-  
17 ment project in the Town of Pine Mountain, Georgia for  
18 streetscape improvements”.

19       The referenced statement of the managers under this  
20 heading in Public Law 108–199 is deemed to be amended  
21 with respect to item number 96 with respect to amounts  
22 made available for the City of Corona, California by strik-  
23 ing “construction” and inserting “rehabilitation and con-  
24 version”.

1       The referenced statement of the managers under this  
2 heading in Public Law 108–199 is deemed to be amended  
3 with respect to item number 257 with respect to amounts  
4 made available for Fort Dodge, Iowa by inserting “plan-  
5 ning, design and” before the word “facilities”.

6       The referenced statement of the managers under this  
7 heading in Public Law 108–199 is deemed to be amended  
8 with respect to item number 776 with respect to amounts  
9 made available for Rice University by inserting “planning,  
10 design and” before the word “construction”.

11       The referenced statement of the managers under this  
12 heading in Public Law 108–199 is deemed to be amended  
13 with respect to item number 535 by striking “facilities  
14 renovation, expansion and buildout for the D’Youville Col-  
15 lege Library Improvement project” and inserting “Admin-  
16 istration building renovation”.

17       The referenced statement of the managers under this  
18 heading in Public Law 108–7 is deemed to be amended  
19 with respect to item number 215 by striking “construction  
20 of a fieldhouse located at 39th and Cottage Grove” and  
21 inserting “costs associated with construction of a LULA  
22 list at Ogden Park”.

23       The referenced statement of the managers under this  
24 heading in Public Law 108–7 is deemed to be amended  
25 with respect to item number 831 by striking “Bread and



1 Rose in Olympia, Washington for renovations to a home-  
2 less shelter” and inserting “Catholic Community Services  
3 in Olympia, Washington for construction of a homeless  
4 shelter”.

5 The referenced statement of the managers under this  
6 heading in Public Law 108–199 is deemed to be amended  
7 with respect to item number 303 by striking “Maine” and  
8 inserting “Marine”.

9 The referenced statement of the managers under this  
10 heading in Public Law 108–199 is deemed to be amended  
11 with respect to item number 177 by inserting “design  
12 and” before the word “construction”.

13 The referenced statement of the managers under this  
14 heading in Public Law 108–199 is deemed to be amended  
15 with respect to item number 163 by striking “a special  
16 needs evacuation, senior, multipurpose center” and insert-  
17 ing “for Lakefront improvements to Lake Toho”.

18 The referenced statement of the managers under this  
19 heading in Public Law 108–199 is deemed to be amended  
20 with respect to item number 499 by striking “relocation  
21 of and renovations to the Wolcott Carriage House” and  
22 inserting “facilities improvements to Erie Canal parks”.

## 1 COMMUNITY DEVELOPMENT LOAN GUARANTEES

## 2 PROGRAM ACCOUNT

## 3 (INCLUDING TRANSFER OF FUNDS)

4 For the cost of guaranteed loans, \$6,000,000, to re-  
5 main available until September 30, 2006, as authorized  
6 by section 108 of the Housing and Community Develop-  
7 ment Act of 1974, as amended: *Provided*, That such costs,  
8 including the cost of modifying such loans, shall be as de-  
9 fined in section 502 of the Congressional Budget Act of  
10 1974, as amended: *Provided further*, That these funds are  
11 available to subsidize total loan principal, any part of  
12 which is to be guaranteed, not to exceed \$275,000,000,  
13 notwithstanding any aggregate limitation on outstanding  
14 obligations guaranteed in section 108(k) of the Housing  
15 and Community Development Act of 1974, as amended.

16 In addition, for administrative expenses to carry out  
17 the guaranteed loan program, \$1,000,000, which shall be  
18 transferred to and merged with the appropriation for  
19 “Salaries and expenses”.

## 20 BROWNFIELDS REDEVELOPMENT

21 For competitive economic development grants, as au-  
22 thorized by section 108(q) of the Housing and Community  
23 Development Act of 1974, as amended, for Brownfields  
24 redevelopment projects, \$24,000,000, to remain available  
25 until September 30, 2006.

1           HOME INVESTMENT PARTNERSHIPS PROGRAM  
2                   (INCLUDING TRANSFER OF FUNDS)

3           For the HOME investment partnerships program, as  
4 authorized under title II of the Cranston-Gonzalez Na-  
5 tional Affordable Housing Act, as amended,  
6 \$1,835,000,000, to remain available until September 30,  
7 2007: *Provided*, That of the total amount provided in this  
8 paragraph, up to \$38,000,000 shall be available for hous-  
9 ing counseling under section 106 of the Housing and  
10 Urban Development Act of 1968, and no less than  
11 \$2,000,000 shall be transferred to the Working Capital  
12 Fund for the development of and modifications to informa-  
13 tion technology systems which serve programs or activities  
14 under “Community planning and development”.

15          In addition to amounts otherwise made available  
16 under this heading, \$85,000,000, to remain available until  
17 September 30, 2007, for assistance to homebuyers as au-  
18 thorized under title I of the American Dream Downpay-  
19 ment Act.

20           HOMELESS ASSISTANCE GRANTS  
21                   (INCLUDING TRANSFER OF FUNDS)

22          For the emergency shelter grants program as author-  
23 ized under subtitle B of title IV of the McKinney-Vento  
24 Homeless Assistance Act, as amended; the supportive  
25 housing program as authorized under subtitle C of title  
26 IV of such Act; the section 8 moderate rehabilitation sin-

1 gle room occupancy program as authorized under the  
2 United States Housing Act of 1937, as amended, to assist  
3 homeless individuals pursuant to section 441 of the  
4 McKinney-Vento Homeless Assistance Act; and the shelter  
5 plus care program as authorized under subtitle F of title  
6 IV of such Act, \$1,206,000,000, of which \$1,186,000,000  
7 shall remain available until September 30, 2007, and of  
8 which \$20,000,000 shall remain available until expended:  
9 *Provided*, That not less than 30 percent of funds made  
10 available, excluding amounts provided for renewals under  
11 the shelter plus care program, shall be used for permanent  
12 housing: *Provided further*, That all funds awarded for  
13 services shall be matched by 25 percent in funding by each  
14 grantee: *Provided further*, That the Secretary shall renew  
15 on an annual basis expiring contracts or amendments to  
16 contracts funded under the shelter plus care program if  
17 the program is determined to be needed under the applica-  
18 ble continuum of care and meets appropriate program re-  
19 quirements and financial standards, as determined by the  
20 Secretary: *Provided further*, That all awards of assistance  
21 under this heading shall be required to coordinate and in-  
22 tegrate homeless programs with other mainstream health,  
23 social services, and employment programs for which home-  
24 less populations may be eligible, including Medicaid, State  
25 Children's Health Insurance Program, Temporary Assist-

1   ance for Needy Families, Food Stamps, and services fund-  
 2   ing through the Mental Health and Substance Abuse  
 3   Block Grant, Workforce Investment Act, and the Welfare-  
 4   to-Work grant program: *Provided further*, That  
 5   \$11,500,000 of the funds appropriated under this heading  
 6   shall be available for the national homeless data analysis  
 7   project and technical assistance: *Provided further*, That no  
 8   less than \$2,500,000 of the funds appropriated under this  
 9   heading shall be transferred to the Working Capital Fund  
 10  for the development of and modifications to information  
 11  technology systems which serve programs or activities  
 12  under “Community planning and development”: *Provided*  
 13  *further*, That all balances for Shelter Plus Care renewals  
 14  previously funded from the Shelter Plus Care Renewal ac-  
 15  count shall be transferred to this account, to be available  
 16  for Shelter Plus Care renewals in fiscal year 2005.

## 17                                   HOUSING PROGRAMS

### 18                                   HOUSING FOR THE ELDERLY

#### 19                                   (INCLUDING TRANSFER OF FUNDS)

20       For capital advances, including amendments to cap-  
 21  ital advance contracts, for housing for the elderly, as au-  
 22  thorized by section 202 of the Housing Act of 1959, as  
 23  amended, and for project rental assistance for the elderly  
 24  under section 202(c)(2) of such Act, including amend-  
 25  ments to contracts for such assistance and renewal of ex-  
 26  piring contracts for such assistance for up to a 1-year

1 term, and for supportive services associated with the hous-  
2 ing, \$741,000,000, to remain available until September  
3 30, 2008, of which amount \$48,000,000 shall be for serv-  
4 ice coordinators and the continuation of existing con-  
5 gregate service grants for residents of assisted housing  
6 projects, and of which amount up to \$20,000,000 shall  
7 be for grants under section 202b of the Housing Act of  
8 1959 (12 U.S.C. 1701q-2) for conversion of eligible  
9 projects under such section to assisted living or related  
10 use and for emergency capital repairs as determined by  
11 the Secretary: *Provided*, That of the amount made avail-  
12 able under this heading, \$15,000,000 shall be available to  
13 the Secretary of Housing and Urban Development only for  
14 making competitive grants to private nonprofit organiza-  
15 tions and consumer cooperatives for covering costs of ar-  
16 chitectural and engineering work, site control, and other  
17 planning relating to the development of supportive housing  
18 for the elderly that is eligible for assistance under section  
19 202 of the Housing Act of 1959 (12 U.S.C. 1701q): *Pro-*  
20 *vided further*, That no less than \$450,000 shall be trans-  
21 ferred to the Working Capital Fund for the development  
22 of and modifications to information technology systems  
23 which serve programs or activities under “Housing pro-  
24 grams” or “Federal Housing Administration”: *Provided*  
25 *further*, That the Secretary may waive the provisions of

1 section 202 governing the terms and conditions of project  
2 rental assistance, except that the initial contract term for  
3 such assistance shall not exceed 5 years in duration.

4 Title II of the Departments of Veterans Affairs and  
5 Housing and Urban Development, and Independent Agen-  
6 cies Appropriations Act, 2004, is amended under this  
7 heading by striking the fourth proviso.

8 HOUSING FOR PERSONS WITH DISABILITIES  
9 (INCLUDING TRANSFER OF FUNDS)

10 For capital advance contracts, including amendments  
11 to capital advance contracts, for supportive housing for  
12 persons with disabilities, as authorized by section 811 of  
13 the Cranston-Gonzalez National Affordable Housing Act,  
14 for project rental assistance for supportive housing for  
15 persons with disabilities under section 811(d)(2) of such  
16 Act, including amendments to contracts for such assist-  
17 ance and renewal of expiring contracts for such assistance  
18 for up to 1-year terms, and for supportive services associ-  
19 ated with the housing for persons with disabilities as au-  
20 thorized by section 811(b)(1) of such Act, and for tenant-  
21 based rental assistance contracts entered into pursuant to  
22 section 811 of such Act, including renewal of expiring con-  
23 tracts for such assistance for up to 1-year terms,  
24 \$238,000,000, to remain available until September 30,  
25 2008: *Provided*, That no less than \$450,000 shall be  
26 transferred to the Working Capital Fund for the develop-

1 ment of and modifications to information technology sys-  
2 tems which serve programs or activities under “Housing  
3 programs” or “Federal Housing Administration”: *Pro-*  
4 *vided further*, That, of the amount provided under this  
5 heading \$28,890,000 shall be for amendments to existing  
6 tenant-based assistance contracts entered into prior to fis-  
7 cal year 2004 (only one amendment authorized for any  
8 such contract): *Provided further*, That of the amount pro-  
9 vided under this heading, the Secretary may make avail-  
10 able up to \$10,000,000 for incremental tenant-based rent-  
11 al assistance, as authorized by section 811 of such Act,  
12 (which assistance is five years in duration): *Provided fur-*  
13 *ther*, That the Secretary may waive the provisions of sec-  
14 tion 811 governing the terms and conditions of project  
15 rental assistance and tenant-based assistance, except that  
16 the initial contract term for such assistance shall not ex-  
17 ceed five years in duration.

18 Title II of the Departments of Veterans Affairs and  
19 Housing and Urban Development, and Independent Agen-  
20 cies Appropriations Act, 2004, is amended under this  
21 heading by striking the fourth proviso: *Provided*, That all  
22 section 811 balances outstanding, as of September 30,  
23 2003, shall be transferred to the appropriation under this  
24 heading.



1       The paragraph under this heading in the Depart-  
 2       ments of Veterans Affairs and Housing and Urban Devel-  
 3       opment, and Independent Agencies Appropriations Act,  
 4       2004, is amended by inserting at the end of the paragraph  
 5       and before the period the following: “: *Provided further*,  
 6       That of the amount provided under this heading,  
 7       \$14,610,000 shall be for amendments to existing tenant-  
 8       based assistance contracts entered into prior to fiscal year  
 9       2004 (only one amendment authorized for any such con-  
 10      tract)’’.

11                               FLEXIBLE SUBSIDY FUND

12                               (TRANSFER OF FUNDS)

13       From the Rental Housing Assistance Fund, all un-  
 14       committed balances of excess rental charges as of Sep-  
 15       tember 30, 2004, and any collections made during fiscal  
 16       year 2005, shall be transferred to the Flexible Subsidy  
 17       Fund, as authorized by section 236(g) of the National  
 18       Housing Act, as amended.

19                               MANUFACTURED HOUSING FEES TRUST FUND

20       For necessary expenses as authorized by the National  
 21       Manufactured Housing Construction and Safety Stand-  
 22       ards Act of 1974, as amended (42 U.S.C. 5401 et seq.),  
 23       up to \$13,000,000 to remain available until expended, to  
 24       be derived from the Manufactured Housing Fees Trust  
 25       Fund: *Provided*, That not to exceed the total amount ap-  
 26       propriated under this heading shall be available from the

1 general fund of the Treasury to the extent necessary to  
2 incur obligations and make expenditures pending the re-  
3 ceipt of collections to the Fund pursuant to section 620  
4 of such Act: *Provided further*, That the amount made  
5 available under this heading from the general fund shall  
6 be reduced as such collections are received during fiscal  
7 year 2005 so as to result in a final fiscal year 2005 appro-  
8 priation from the general fund estimated at not more than  
9 \$0 and fees pursuant to such section 620 shall be modified  
10 as necessary to ensure such a final fiscal year 2005 appro-  
11 priation.

12 FEDERAL HOUSING ADMINISTRATION

13 MUTUAL MORTGAGE INSURANCE PROGRAM ACCOUNT

14 (INCLUDING TRANSFERS OF FUNDS)

15 During fiscal year 2005, commitments to guarantee  
16 loans to carry out the purposes of section 203(b) of the  
17 National Housing Act, as amended, shall not exceed a loan  
18 principal of \$185,000,000,000.

19 During fiscal year 2005, obligations to make direct  
20 loans to carry out the purposes of section 204(g) of the  
21 National Housing Act, as amended, shall not exceed  
22 \$50,000,000: *Provided*, That the foregoing amount shall  
23 be for loans to nonprofit and governmental entities in con-  
24 nection with sales of single family real properties owned  
25 by the Secretary and formerly insured under the Mutual  
26 Mortgage Insurance Fund.

1 For administrative expenses necessary to carry out  
2 the guaranteed and direct loan program, \$356,882,000,  
3 of which not to exceed \$352,906,000 shall be transferred  
4 to the appropriation for “Salaries and expenses”; and not  
5 to exceed \$3,976,000 shall be transferred to the appro-  
6 priation for “Office of Inspector General”. In addition, for  
7 administrative contract expenses, \$78,000,000, of which  
8 no less than \$15,000,000 shall be transferred to the Work-  
9 ing Capital Fund for the development of and modifications  
10 to information technology systems which serve programs  
11 or activities under “Housing programs” or “Federal  
12 Housing Administration”: *Provided*, That to the extent  
13 guaranteed loan commitments exceed \$65,500,000,000 on  
14 or before April 1, 2005, an additional \$1,400 for adminis-  
15 trative contract expenses shall be available for each  
16 \$1,000,000 in additional guaranteed loan commitments  
17 (including a pro rata amount for any amount below  
18 \$1,000,000), but in no case shall funds made available by  
19 this proviso exceed \$30,000,000.

20 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT  
21 (INCLUDING TRANSFERS OF FUNDS)

22 For the cost of guaranteed loans, as authorized by  
23 sections 238 and 519 of the National Housing Act (12  
24 U.S.C. 1715z–3 and 1735c), including the cost of loan  
25 guarantee modifications, as that term is defined in section  
26 502 of the Congressional Budget Act of 1974, as amend-

1 ed, \$10,000,000, to remain available until expended: *Pro-*  
2 *vided*, That these funds are available to subsidize total  
3 loan principal, any part of which is to be guaranteed, of  
4 up to \$35,000,000,000.

5       Gross obligations for the principal amount of direct  
6 loans, as authorized by sections 204(g), 207(l), 238, and  
7 519(a) of the National Housing Act, shall not exceed  
8 \$50,000,000, of which not to exceed \$30,000,000 shall be  
9 for bridge financing in connection with the sale of multi-  
10 family real properties owned by the Secretary and for-  
11 merly insured under such Act; and of which not to exceed  
12 \$20,000,000 shall be for loans to nonprofit and govern-  
13 mental entities in connection with the sale of single-family  
14 real properties owned by the Secretary and formerly in-  
15 sured under such Act.

16       In addition, for administrative expenses necessary to  
17 carry out the guaranteed and direct loan programs,  
18 \$227,649,000, of which \$207,767,000 shall be transferred  
19 to the appropriation for “Salaries and expenses”; and of  
20 which \$19,882,000 shall be transferred to the appropria-  
21 tion for “Office of Inspector General”.

22       In addition, for administrative contract expenses nec-  
23 essary to carry out the guaranteed and direct loan pro-  
24 grams, \$86,000,000, of which no less than \$9,600,000  
25 shall be transferred to the Working Capital Fund for the

1 development of and modifications to information tech-  
 2 nology systems which serve programs or activities under  
 3 “Housing programs” or “Federal Housing Administra-  
 4 tion”: *Provided*, That to the extent guaranteed loan com-  
 5 mitments exceed \$8,426,000,000 on or before April 1,  
 6 2005, an additional \$1,980 for administrative contract ex-  
 7 penses shall be available for each \$1,000,000 in additional  
 8 guaranteed loan commitments over \$8,426,000,000 (in-  
 9 cluding a pro rata amount for any increment below  
 10 \$1,000,000), but in no case shall funds made available by  
 11 this proviso exceed \$14,400,000.

12 GOVERNMENT NATIONAL MORTGAGE ASSOCIATION  
 13 GUARANTEES OF MORTGAGE-BACKED SECURITIES LOAN  
 14 GUARANTEE PROGRAM ACCOUNT  
 15 (INCLUDING TRANSFER OF FUNDS)

16 New commitments to issue guarantees to carry out  
 17 the purposes of section 306 of the National Housing Act,  
 18 as amended (12 U.S.C. 1721(g)), shall not exceed  
 19 \$200,000,000,000, to remain available until September  
 20 30, 2006.

21 For administrative expenses necessary to carry out  
 22 the guaranteed mortgage-backed securities program,  
 23 \$10,695,000, to be derived from the GNMA guarantees  
 24 of mortgage-backed securities guaranteed loan receipt ac-  
 25 count, of which not to exceed \$10,695,000, shall be trans-  
 26 ferred to the appropriation for “Salaries and expenses”.

## POLICY DEVELOPMENT AND RESEARCH

## RESEARCH AND TECHNOLOGY

For contracts, grants, and necessary expenses of programs of research and studies relating to housing and urban problems, not otherwise provided for, as authorized by title V of the Housing and Urban Development Act of 1970, as amended (12 U.S.C. 1701z–1 et seq.), including carrying out the functions of the Secretary under section 1(a)(1)(i) of Reorganization Plan No. 2 of 1968, \$45,000,000, to remain available until September 30, 2006: *Provided*, That of the total amount provided under this heading, \$7,000,000 shall be for the Partnership for Advancing Technology in Housing (PATH) Initiative.

## FAIR HOUSING AND EQUAL OPPORTUNITY

## FAIR HOUSING ACTIVITIES

For contracts, grants, and other assistance, not otherwise provided for, as authorized by title VIII of the Civil Rights Act of 1968, as amended by the Fair Housing Amendments Act of 1988, and section 561 of the Housing and Community Development Act of 1987, as amended, \$46,000,000, to remain available until September 30, 2006, of which \$19,500,000 shall be to carry out activities pursuant to such section 561: *Provided*, That no funds made available under this heading shall be used to lobby the executive or legislative branches of the Federal Gov-

1 ernment in connection with a specific contract, grant or  
2 loan.

3 OFFICE OF LEAD HAZARD CONTROL

4 LEAD HAZARD REDUCTION

5 For the Lead Hazard Reduction Program, as author-  
6 ized by section 1011 of the Residential Lead-Based Paint  
7 Hazard Reduction Act of 1992, \$167,000,000, to remain  
8 available until September 30, 2006, of which \$9,900,000  
9 shall be for the Healthy Homes Initiative, pursuant to sec-  
10 tions 501 and 502 of the Housing and Urban Develop-  
11 ment Act of 1970 that shall include research, studies, test-  
12 ing, and demonstration efforts, including education and  
13 outreach concerning lead-based paint poisoning and other  
14 housing-related diseases and hazards: *Provided*, That for  
15 purposes of environmental review, pursuant to the Na-  
16 tional Environmental Policy Act of 1969 (42 U.S.C. 4321  
17 et seq.) and other provisions of law that further the pur-  
18 poses of such Act, a grant under the Healthy Homes Ini-  
19 tiative, Operation Lead Elimination Action Plan (LEAP),  
20 or the Lead Technical Studies program under this heading  
21 or under prior appropriations Acts for such purposes  
22 under this heading, shall be considered to be funds for  
23 a special project for purposes of § 305(c) of the Multi-  
24 family Housing Property Disposition Reform Act of 1994.

## 1 MANAGEMENT AND ADMINISTRATION

## 2 SALARIES AND EXPENSES

## 3 (INCLUDING TRANSFER OF FUNDS)

4 For necessary administrative and non-administrative  
5 expenses of the Department of Housing and Urban Devel-  
6 opment, not otherwise provided for, including purchase of  
7 uniforms, or allowances therefor, as authorized by 5  
8 U.S.C. 5901–5902; hire of passenger motor vehicles; serv-  
9 ices as authorized by 5 U.S.C. 3109; and not to exceed  
10 \$25,000 for official reception and representation expenses,  
11 \$1,116,575,000, of which \$560,672,000 shall be provided  
12 from the various funds of the Federal Housing Adminis-  
13 tration, \$10,695,000 shall be provided from funds of the  
14 Government National Mortgage Association, \$1,000,000  
15 shall be provided from the “Community development loan  
16 guarantees program” account, \$150,000 shall be provided  
17 by transfer from the “Native American housing block  
18 grants” account, \$250,000 shall be provided by transfer  
19 from the “Indian housing loan guarantee fund program”  
20 account and \$35,000 shall be transferred from the “Na-  
21 tive Hawaiian housing loan guarantee fund” account: *Pro-*  
22 *vided*, That funds made available under this heading shall  
23 only be allocated in the manner specified in the report ac-  
24 companying this Act unless the Committees on Appropria-  
25 tions of both the House of Representatives and the Senate  
26 are notified of any changes in an operating plan or re-



1 programming: *Provided further*, That no official or em-  
2 ployee of the Department shall be designated as an allot-  
3 ment holder unless the Office of the Chief Financial Offi-  
4 cer (OCFO) has determined that such allotment holder  
5 has implemented an adequate system of funds control and  
6 has received training in funds control procedures and di-  
7 rectives: *Provided further*, That the Chief Financial Officer  
8 shall establish positive control of and maintain adequate  
9 systems of accounting for appropriations and other avail-  
10 able funds as required by 31 U.S.C. 1514: *Provided fur-*  
11 *ther*, That for purposes of funds control and determining  
12 whether a violation exists under the Anti-Deficiency Act  
13 (31 U.S.C. 1341 et seq.), the point of obligation shall be  
14 the executed agreement or contract, except with respect  
15 to insurance and guarantee programs, certain types of sal-  
16 aries and expenses funding, and incremental funding that  
17 is authorized under an executed agreement or contract,  
18 and shall be designated in the approved funds control  
19 plan: *Provided further*, That the Chief Financial Officer  
20 shall: (1) appoint qualified personnel to conduct investiga-  
21 tions of potential or actual violations; (2) establish min-  
22 imum training requirements and other qualifications for  
23 personnel that may be appointed to conduct investigations;  
24 (3) establish guidelines and timeframes for the conduct  
25 and completion of investigations; (4) prescribe the content,

1 format and other requirements for the submission of final  
2 reports on violations; and (5) prescribe such additional  
3 policies and procedures as may be required for conducting  
4 investigations of, and administering, processing, and re-  
5 porting on, potential and actual violations of the Anti-De-  
6 ficiency Act and all other statutes and regulations gov-  
7 erning the obligation and expenditure of funds made avail-  
8 able in this or any other Act.

9 WORKING CAPITAL FUND

10 For additional capital for the Working Capital Fund  
11 (42 U.S.C. 3535) for the development of, modifications  
12 to, and infrastructure for Department-wide information  
13 technology systems, and for the continuing operation of  
14 both Department-wide and program-specific information  
15 systems, \$100,000,000, to remain available until Sep-  
16 tember 30, 2006: *Provided*, That any amounts transferred  
17 to this Fund under this Act shall remain available until  
18 expended.

19 OFFICE OF INSPECTOR GENERAL

20 (INCLUDING TRANSFER OF FUNDS)

21 For necessary expenses of the Office of Inspector  
22 General in carrying out the Inspector General Act of 1978,  
23 as amended, \$100,858,000, of which \$23,858,000 shall be  
24 provided from the various funds of the Federal Housing  
25 Administration: *Provided*, That the Inspector General  
26 shall have independent authority over all personnel issues

1 within this office: *Provided further*, That no less than  
2 \$300,000 shall be transferred to the Working Capital  
3 Fund for the development of and modifications to informa-  
4 tion technology systems for the Office of Inspector Gen-  
5 eral.

6 OFFICE OF FEDERAL HOUSING ENTERPRISE OVERSIGHT

7 SALARIES AND EXPENSES

8 (INCLUDING TRANSFER OF FUNDS)

9 For carrying out the Federal Housing Enterprises  
10 Financial Safety and Soundness Act of 1992, including  
11 not to exceed \$500 for official reception and representa-  
12 tion expenses, \$59,209,000, to remain available until ex-  
13 pended, to be derived from the Federal Housing Enter-  
14 prises Oversight Fund: *Provided*, That the Secretary shall  
15 submit a spending plan for the amounts provided under  
16 this heading no later than January 15, 2005: *Provided*  
17 *further*, That not less than 60 percent of total amount  
18 made available under this heading shall be used only for  
19 examination, supervision, and capital oversight of the en-  
20 terprises (as such term is defined in section 1303 of the  
21 Federal Housing Enterprises Financial Safety and Sound-  
22 ness Act of 1992 (12 U.S.C. 4502)) to ensure that the  
23 enterprises are operating in a financially safe and sound  
24 manner and complying with the capital requirements  
25 under Subtitle B of such Act: *Provided further*, That not  
26 to exceed the amount provided herein shall be available

1 from the general fund of the Treasury to the extent nec-  
2 essary to incur obligations and make expenditures pending  
3 the receipt of collections to the Fund: *Provided further*,  
4 That the general fund amount shall be reduced as collec-  
5 tions are received during the fiscal year so as to result  
6 in a final appropriation from the general fund estimated  
7 at not more than \$0.

8 PUBLIC AND INDIAN HOUSING

9 HOUSING CERTIFICATE FUND

10 (RESCISSION)

11 Of the unobligated balances, including recaptures and  
12 carryover, remaining from funds appropriated to the De-  
13 partment of Housing and Urban Development under this  
14 heading or the heading “Annual contributions for assisted  
15 housing” or any other heading for fiscal year 2004 and  
16 prior years, \$1,557,000,000 is rescinded, to be effected by  
17 the Secretary no later than September 30, 2005: *Provided*,  
18 That any such balances governed by reallocation provi-  
19 sions under the statute authorizing the program for which  
20 the funds were originally appropriated shall be available  
21 for the rescission: *Provided further*, That any obligated  
22 balances of contract authority from fiscal year 1974 and  
23 prior that have been terminated shall be cancelled: *Pro-*  
24 *vided further*, That except to the extent that amounts ap-  
25 propriated under this heading in fiscal year 2004 are  
26 needed to complete funding of public housing agencies

1 pursuant to the terms and conditions of such appropriated  
2 amounts, no amounts recaptured from amounts appro-  
3 priated in prior years under this heading or the heading  
4 “Annual contributions for assisted housing” and no carry-  
5 over of such appropriated amounts shall be available in  
6 FY 2005 for activities provided for under the heading  
7 “Tenant-based rental assistance”.

8 DRUG ELIMINATION GRANTS FOR LOW-INCOME HOUSING  
9 (RESCISSION)

10 Of the unobligated balances remaining from funds  
11 appropriated in fiscal year 2001 and prior years under the  
12 heading “Drug elimination grants for low-income hous-  
13 ing”, \$5,000,000 are rescinded.

14 NATIVE AMERICAN HOUSING BLOCK GRANTS  
15 (RESCISSION)

16 Of the unobligated balances remaining from funds  
17 appropriated in fiscal year 2004 and prior years under the  
18 heading “Native American housing block grants” for ac-  
19 tivities related to title VI of NAHASDA, \$21,000,000 are  
20 rescinded.

21 INDIAN HOUSING LOAN GUARANTEE PROGRAM ACCOUNT  
22 (RESCISSION)

23 Of the unobligated balances remaining from funds  
24 appropriated in fiscal year 2004 and prior years under the  
25 heading “Indian housing loan guarantee fund program ac-

1 count” for activities related to the cost of guaranteed  
2 loans, \$33,000,000 are rescinded.

3 HOUSING PROGRAMS

4 RENTAL HOUSING ASSISTANCE

5 (RESCISSION)

6 Of the amounts made available under the heading  
7 “Rent Supplement” in Public Law 98–63 for amendments  
8 to contracts under section 101 of the Housing and Urban  
9 Development Act of 1965 (12 U.S.C. 1701s) and section  
10 236(f)(2) of the National Housing Act (12 U.S.C. 1715z–  
11 1) in State-aided, non-insured rental housing projects,  
12 \$675,000,000 is cancelled.

13 FEDERAL HOUSING ADMINISTRATION

14 GENERAL AND SPECIAL RISK PROGRAM ACCOUNT

15 (RESCISSION)

16 Of the unobligated balances remaining from credit  
17 subsidy appropriated in fiscal year 2004 and prior years  
18 under the heading “General and special risk program ac-  
19 count”, \$30,000,000 are rescinded.

20 ADMINISTRATIVE PROVISIONS

21 SEC. 201. Fifty percent of the amounts of budget au-  
22 thority, or in lieu thereof 50 percent of the cash amounts  
23 associated with such budget authority, that are recaptured  
24 from projects described in section 1012(a) of the Stewart  
25 B. McKinney Homeless Assistance Amendments Act of  
26 1988 (42 U.S.C. 1437 note) shall be rescinded, or in the

1 case of cash, shall be remitted to the Treasury, and such  
2 amounts of budget authority or cash recaptured and not  
3 rescinded or remitted to the Treasury shall be used by  
4 State housing finance agencies or local governments or  
5 local housing agencies with projects approved by the Sec-  
6 retary of Housing and Urban Development for which set-  
7 tlement occurred after January 1, 1992, in accordance  
8 with such section. Notwithstanding the previous sentence,  
9 the Secretary may award up to 15 percent of the budget  
10 authority or cash recaptured and not rescinded or remitted  
11 to the Treasury to provide project owners with incentives  
12 to refinance their project at a lower interest rate.

13 SEC. 202. None of the amounts made available under  
14 this Act may be used during fiscal year 2005 to investigate  
15 or prosecute under the Fair Housing Act any otherwise  
16 lawful activity engaged in by one or more persons, includ-  
17 ing the filing or maintaining of a non-frivolous legal ac-  
18 tion, that is engaged in solely for the purpose of achieving  
19 or preventing action by a Government official or entity,  
20 or a court of competent jurisdiction.

21 SEC. 203. (a) Notwithstanding section 854(c)(1)(A)  
22 of the AIDS Housing Opportunity Act (42 U.S.C.  
23 12903(c)(1)(A)), from any amounts made available under  
24 this title for fiscal year 2005 that are allocated under such  
25 section, the Secretary of Housing and Urban Development

1 shall allocate and make a grant, in the amount determined  
2 under subsection (b), for any State that—

3 (1) received an allocation in a prior fiscal year  
4 under clause (ii) of such section; and

5 (2) is not otherwise eligible for an allocation for  
6 fiscal year 2005 under such clause (ii) because the  
7 areas in the State outside of the metropolitan statis-  
8 tical areas that qualify under clause (i) in fiscal year  
9 2005 do not have the number of cases of acquired  
10 immunodeficiency syndrome (AIDS) required under  
11 such clause.

12 (b) The amount of the allocation and grant for any  
13 State described in subsection (a) shall be an amount based  
14 on the cumulative number of AIDS cases in the areas of  
15 that State that are outside of metropolitan statistical  
16 areas that qualify under clause (i) of such section  
17 854(c)(1)(A) in fiscal year 2005, in proportion to AIDS  
18 cases among cities and States that qualify under clauses  
19 (i) and (ii) of such section and States deemed eligible  
20 under subsection (a).

21 SEC. 204. (a) During fiscal year 2005, in the provi-  
22 sion of rental assistance under section 8(o) of the United  
23 States Housing Act of 1937 (42 U.S.C. 1437f(o)) in con-  
24 nection with a program to demonstrate the economy and  
25 effectiveness of providing such assistance for use in as-



1 sisted living facilities that is carried out in the counties  
2 of the State of Michigan specified in subsection (b) of this  
3 section, notwithstanding paragraphs (3) and (18)(B)(iii)  
4 of such section 8(o), a family residing in an assisted living  
5 facility in any such county, on behalf of which a public  
6 housing agency provides assistance pursuant to section  
7 8(o)(18) of such Act, may be required, at the time the  
8 family initially receives such assistance, to pay rent in an  
9 amount exceeding 40 percent of the monthly adjusted in-  
10 come of the family by such a percentage or amount as  
11 the Secretary of Housing and Urban Development deter-  
12 mines to be appropriate.

13 (b) The counties specified in this subsection are Oak-  
14 land County, Macomb County, Wayne County, and  
15 Washtenaw County, in the State of Michigan.

16 SEC. 205. Except as explicitly provided in law, any  
17 grant, cooperative agreement or other assistance made  
18 pursuant to title II of this Act shall be made on a competi-  
19 tive basis and in accordance with section 102 of the De-  
20 partment of Housing and Urban Development Reform Act  
21 of 1989.

22 SEC. 206. Funds of the Department of Housing and  
23 Urban Development subject to the Government Corpora-  
24 tion Control Act or section 402 of the Housing Act of  
25 1950 shall be available, without regard to the limitations

1 on administrative expenses, for legal services on a contract  
2 or fee basis, and for utilizing and making payment for  
3 services and facilities of the Federal National Mortgage  
4 Association, Government National Mortgage Association,  
5 Federal Home Loan Mortgage Corporation, Federal Fi-  
6 nancing Bank, Federal Reserve banks or any member  
7 thereof, Federal Home Loan banks, and any insured bank  
8 within the meaning of the Federal Deposit Insurance Cor-  
9 poration Act, as amended (12 U.S.C. 1811–1831).

10 SEC. 207. Unless otherwise provided for in this Act  
11 or through a reprogramming of funds, no part of any ap-  
12 propriation for the Department of Housing and Urban  
13 Development shall be available for any program, project  
14 or activity in excess of amounts set forth in the budget  
15 estimates submitted to Congress.

16 SEC. 208. Corporations and agencies of the Depart-  
17 ment of Housing and Urban Development which are sub-  
18 ject to the Government Corporation Control Act, as  
19 amended, are hereby authorized to make such expendi-  
20 tures, within the limits of funds and borrowing authority  
21 available to each such corporation or agency and in ac-  
22 cordance with law, and to make such contracts and com-  
23 mitments without regard to fiscal year limitations as pro-  
24 vided by section 104 of such Act as may be necessary in  
25 carrying out the programs set forth in the budget for 2005

1 for such corporation or agency except as hereinafter pro-  
2 vided: *Provided*, That collections of these corporations and  
3 agencies may be used for new loan or mortgage purchase  
4 commitments only to the extent expressly provided for in  
5 this Act (unless such loans are in support of other forms  
6 of assistance provided for in this or prior appropriations  
7 Acts), except that this proviso shall not apply to the mort-  
8 gage insurance or guaranty operations of these corpora-  
9 tions, or where loans or mortgage purchases are necessary  
10 to protect the financial interest of the United States Gov-  
11 ernment.

12 SEC. 209. None of the funds provided in this title  
13 for technical assistance, training, or management improve-  
14 ments may be obligated or expended unless HUD provides  
15 to the Committees on Appropriations a description of each  
16 proposed activity and a detailed budget estimate of the  
17 costs associated with each program, project or activity as  
18 part of the Budget Justifications. For fiscal year 2005,  
19 HUD shall transmit this information to the Committees  
20 by March 15, 2005 for 30 days of review.

21 SEC. 210. The Secretary of Housing and Urban De-  
22 velopment shall provide quarterly reports to the House  
23 and Senate Committees on Appropriations regarding all  
24 uncommitted, unobligated, recaptured and excess funds in  
25 each program and activity within the jurisdiction of the

1 Department and shall submit additional, updated budget  
2 information to these Committees upon request.

3       SEC. 211. Notwithstanding any other provision of  
4 law, in fiscal year 2005, in managing and disposing of any  
5 multifamily property that is owned or held by the Sec-  
6 retary and is occupied primarily by elderly or disabled  
7 families, the Secretary of Housing and Urban Develop-  
8 ment shall maintain any rental assistance payments under  
9 section 8 of the United States Housing Act of 1937 that  
10 are attached to any dwelling units in the property. To the  
11 extent the Secretary determines that such a multifamily  
12 property owned or held by the Secretary is not feasible  
13 for continued rental assistance payments under such sec-  
14 tion 8, the Secretary may, in consultation with the tenants  
15 of that property, contract for project-based rental assist-  
16 ance payments with an owner or owners of other existing  
17 housing properties or provide other rental assistance.

18       SEC. 212. (a) Notwithstanding any other provision  
19 of law, the amount allocated for fiscal year 2005 under  
20 section 854(c) of the AIDS Housing Opportunity Act (42  
21 U.S.C. 12903(c)), to the City of Wilmington, Delaware,  
22 on behalf of the Wilmington, Delaware-Maryland-New  
23 Jersey Metropolitan Division (hereafter “metropolitan di-  
24 vision”), shall be adjusted by the Secretary of Housing  
25 and Urban Development by allocating to the State of New

1 Jersey the proportion of the metropolitan division's  
2 amount that is based on the number of cases of AIDS  
3 reported in the portion of the metropolitan division that  
4 is located in New Jersey. The State of New Jersey shall  
5 use amounts allocated to the State under this subsection  
6 to carry out eligible activities under section 855 of the  
7 AIDS Housing Opportunity Act (42 U.S.C. 12904) in the  
8 portion of the metropolitan division that is located in New  
9 Jersey.

10 (b) Notwithstanding any other provision of law, the  
11 Secretary of Housing and Urban Development shall allo-  
12 cate to Wake County, North Carolina, the amounts that  
13 otherwise would be allocated for fiscal year 2005 under  
14 section 854(c) of the AIDS Housing Opportunity Act (42  
15 U.S.C. 12903(c)) to the City of Raleigh, North Carolina,  
16 on behalf of the Raleigh-Cary, North Carolina Metropoli-  
17 tan Statistical Area. Any amounts allocated to Wake  
18 County shall be used to carry out eligible activities under  
19 section 855 of such Act (42 U.S.C. 12904) within such  
20 metropolitan statistical area.

21 (c) Notwithstanding section 854(c) of the AIDS  
22 Housing Opportunity Act (42 U.S.C. 12903(c)), the Sec-  
23 retary of Housing and Urban Development may adjust the  
24 allocation of the amounts that otherwise would be allo-  
25 cated for fiscal year 2005 under section 854(c) of such

1 Act, upon the written request of an applicant, in conjunc-  
2 tion with the State(s), for a formula allocation on behalf  
3 of a metropolitan statistical area, to designate the State  
4 or States in which the metropolitan statistical area is lo-  
5 cated as the eligible grantee(s) of the allocation. In the  
6 case that a metropolitan statistical area involves more  
7 than one State, such amounts allocated to each State shall  
8 be in proportion to the number of cases of AIDS reported  
9 in the portion of the metropolitan statistical area located  
10 in that State. Any amounts allocated to a State under this  
11 section shall be used to carry out eligible activities within  
12 the portion of the metropolitan statistical area located in  
13 that State.

14 SEC. 213. Notwithstanding any other provision of  
15 law, funds appropriated for the housing for the elderly,  
16 as authorized by section 202 of the Housing Act of 1959,  
17 as amended, and for supportive housing for persons with  
18 disabilities, as authorized by section 811 of the Cranston-  
19 Gonzalez National Affordable Housing Act, shall be avail-  
20 able for the cost of maintaining and disposing of such  
21 properties that are acquired or otherwise become the re-  
22 sponsibility of the Department.

23 SEC. 214. The Department of Housing and Urban  
24 Development shall submit the Department's fiscal year  
25 2006 congressional budget justifications to the Commit-

tees on Appropriations of the House of Representatives and the Senate using the identical structure provided under this Act and only in accordance with the direction specified in the report accompanying this Act.

SEC. 215. That incremental voucher previously made available under the heading “Housing Certificate Fund” for non-elderly disabled families shall, to the extent practicable, continue to be provided to non-elderly disabled families upon turnover.

SEC. 216. The installment contract between the Village of Hanna City, Illinois and the General Services Administration is in the nature of a purchase money mortgage which will be paid off at initial closing. The Department of Housing and Urban Development shall accept the Village of Hanna City, Illinois’ holding of equitable title to this property as sufficient for the purposes of the section 202 housing program.

SEC. 217. A public housing agency or such other entity that administers Federal housing assistance in the States of Alaska, Iowa, and Mississippi shall not be required to include a resident of public housing or a recipient of assistance provided under section 8 of the United States Housing Act of 1937 on the board of directors or a similar governing board of such agency or entity as required under section (2)(b) of such Act. Each public hous-

1 ing agency or other entity that administers Federal hous-  
2 ing assistance under section 8 in the States of Alaska,  
3 Iowa, and Mississippi shall establish an advisory board of  
4 not less than 6 residents of public housing or recipients  
5 of section 8 assistance to provide advice and comment to  
6 the public housing agency or other administering entity  
7 on issues related to public housing and section 8. Such  
8 advisory board shall meet not less than quarterly.

### 9 TITLE III—INDEPENDENT AGENCIES

#### 10 AMERICAN BATTLE MONUMENTS COMMISSION

##### 11 SALARIES AND EXPENSES

12 For necessary expenses, not otherwise provided for,  
13 of the American Battle Monuments Commission, including  
14 the acquisition of land or interest in land in foreign coun-  
15 tries; purchases and repair of uniforms for caretakers of  
16 national cemeteries and monuments outside of the United  
17 States and its territories and possessions; rent of office  
18 and garage space in foreign countries; purchase (one for  
19 replacement only) and hire of passenger motor vehicles;  
20 not to exceed \$7,500 for official reception and representa-  
21 tion expenses; and insurance of official motor vehicles in  
22 foreign countries, when required by law of such countries,  
23 \$41,100,000, to remain available until expended.

##### 24 FOREIGN CURRENCY FLUCTUATIONS ACCOUNT

25 For necessary expenses, not otherwise provided for,  
26 of the American Battle Monuments Commission,



1 \$9,000,000, to remain available until expended, for pur-  
2 poses authorized by 36 U.S.C. 2109.

3 CHEMICAL SAFETY AND HAZARD INVESTIGATION BOARD  
4 SALARIES AND EXPENSES

5 For necessary expenses in carrying out activities pur-  
6 suant to section 112(r)(6) of the Clean Air Act, as amend-  
7 ed, including hire of passenger vehicles, uniforms or allow-  
8 ances therefore, as authorized by 5 U.S.C. 5901–5902,  
9 and for services authorized by 5 U.S.C. 3109 but at rates  
10 for individuals not to exceed the per diem equivalent to  
11 the maximum rate payable for senior level positions under  
12 5 U.S.C. 5376, \$9,451,000: *Provided*, That the Chemical  
13 Safety and Hazard Investigation Board (Board) shall have  
14 not more than three career Senior Executive Service posi-  
15 tions: *Provided further*, That notwithstanding any other  
16 provision of law, the individual appointed to the position  
17 of Inspector General of the Environmental Protection  
18 Agency (EPA) shall, by virtue of such appointment, also  
19 hold the position of Inspector General of the Board: *Pro-*  
20 *vided further*, That notwithstanding any other provision of  
21 law, the Inspector General of the Board shall utilize per-  
22 sonnel of the Office of Inspector General of EPA in per-  
23 forming the duties of the Inspector General of the Board,  
24 and shall not appoint any individuals to positions within  
25 the Board.

2 For necessary expenses of the Chemical Safety and  
3 Hazard Investigation Board for accident investigations  
4 not otherwise provided for, \$400,000, to remain available  
5 until expended.

DEPARTMENT OF THE TREASURY

## 8 COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS

FUND PROGRAM ACCOUNT

10 To carry out the Community Development Banking  
11 and Financial Institutions Act of 1994, including services  
12 authorized by 5 U.S.C. 3109, but at rates for individuals  
13 not to exceed the per diem rate equivalent to the rate for  
14 ES-3, \$60,640,000, to remain available until September  
15 30, 2006, of which \$4,000,000 shall be for financial assist-  
16 ance, technical assistance, training and outreach programs  
17 designed to benefit Native American, Native Hawaiian,  
18 and Alaskan Native communities and provided primarily  
19 through qualified community development lender organi-  
20 zations with experience and expertise in community devel-  
21 opment banking and lending in Indian country, Native  
22 American organizations, tribes and tribal organizations  
23 and other suitable providers, and up to \$15,321,000 may  
24 be used for administrative expenses, including administra-  
25 tion of the New Markets Tax Credit, up to \$6,000,000

1 may be used for the cost of direct loans, and up to  
2 \$250,000 may be used for administrative expenses to  
3 carry out the direct loan program: *Provided*, That the cost  
4 of direct loans, including the cost of modifying such loans,  
5 shall be as defined in section 502 of the Congressional  
6 Budget Act of 1974, as amended: *Provided further*, That  
7 these funds are available to subsidize gross obligations for  
8 the principal amount of direct loans not to exceed  
9 \$11,000,000.

10 CONSUMER PRODUCT SAFETY COMMISSION

11 SALARIES AND EXPENSES

12 For necessary expenses of the Consumer Product  
13 Safety Commission, including hire of passenger motor ve-  
14 hicles, services as authorized by 5 U.S.C. 3109, but at  
15 rates for individuals not to exceed the per diem rate equiv-  
16 alent to the maximum rate payable under 5 U.S.C. 5376,  
17 purchase of nominal awards to recognize non-Federal offi-  
18 cials' contributions to Commission activities, and not to  
19 exceed \$500 for official reception and representation ex-  
20 penses, \$62,650,000.

1 CORPORATION FOR NATIONAL AND COMMUNITY SERVICE

2 NATIONAL AND COMMUNITY SERVICE PROGRAMS

3 OPERATING EXPENSES

4 (INCLUDING TRANSFER OF FUNDS)

5 For necessary expenses for the Corporation for Na-  
6 tional and Community Service (the “Corporation”) in car-  
7 rying out programs, activities, and initiatives under the  
8 National and Community Service Act of 1990 (the “Act”)  
9 (42 U.S.C. 12501 et seq.), \$541,000,000, to remain avail-  
10 able until September 30, 2006: *Provided*, That not more  
11 than \$290,000,000 of the amount provided under this  
12 heading shall be available for grants under the National  
13 Service Trust Program authorized under subtitle C of title  
14 I of the Act (42 U.S.C. 12571 et seq.) (relating to activi-  
15 ties of the AmeriCorps program), including grants to orga-  
16 nizations operating projects under the AmeriCorps Edu-  
17 cation Awards Program (without regard to the require-  
18 ments of sections 121(d) and (e), section 131(e), section  
19 132, and sections 140(a), (d), and (e) of the Act), except  
20 no funds shall be available for programs authorized by sec-  
21 tion 121(b) of the Act: *Provided further*, That not less  
22 than \$144,000,000 of the amount provided under this  
23 heading, to remain available without fiscal year limitation,  
24 shall be transferred to the National Service Trust for edu-  
25 cational awards authorized under subtitle D of title I of

1 the Act (42 U.S.C. 12601), of which up to \$3,900,000  
2 shall be to support the President's Freedom Scholarships  
3 for high school students performing community service;  
4 and \$13,000,000 shall be held in reserve as defined in  
5 Public Law 108–45: *Provided further*, That in addition to  
6 amounts otherwise provided to the National Service Trust  
7 under the second proviso, the Corporation may transfer  
8 funds from the amount provided under the first proviso,  
9 to the National Service Trust authorized under subtitle  
10 D of title I of the Act (42 U.S.C. 12601) upon determina-  
11 tion that such transfer is necessary to support the activi-  
12 ties of national service participants and after notice is  
13 transmitted to Congress: *Provided further*, That from  
14 funds provided under this heading, the following amounts  
15 are available: (1) not more than \$12,000,000 for quality  
16 and innovation activities authorized under subtitle H of  
17 title I of the Act of which up to \$3,000,000 shall be avail-  
18 able for challenge grants to nonprofit organizations; (2)  
19 not more than \$25,500,000 of the funds made available  
20 under this heading shall be available for the Civilian Com-  
21 munity Corps authorized under subtitle E of title I of the  
22 Act (42 U.S.C. 12611 et seq.); (3) not more than  
23 \$40,000,000 shall be available for school-based and com-  
24 munity-based service-learning programs authorized under  
25 subtitle B of title I of the Act (42 U.S.C. 12521 et seq.);

1 (4) not more than \$3,000,000 shall be available for audits  
2 and other evaluations authorized under section 179 of the  
3 Act (42 U.S.C. 12639); (5) not more than \$9,700,000 for  
4 the Points of Light Foundation for activities authorized  
5 under title III of the Act (42 U.S.C. 12661 et seq.), of  
6 which not more than \$2,500,000 may be used to support  
7 an endowment fund, the corpus of which shall remain in-  
8 tact and the interest income from which shall be used to  
9 support activities described in title III of the Act, provided  
10 that the Foundation may invest the corpus and income  
11 in federally insured bank savings accounts or comparable  
12 interest bearing accounts, certificates of deposit, money  
13 market funds, mutual funds, obligations of the United  
14 States, and other market instruments and securities but  
15 not in real estate investments; (6) not more than  
16 \$4,800,000 shall be for America's Promise—The Alliance  
17 for Youth, Inc.; (7) not more than \$12,000,000 to provide  
18 assistance to state commissions on national and commu-  
19 nity service under section 126(a) of the Act; and (8) such  
20 additional amounts as may be necessary for educational  
21 awards authorized under subtitle D of title I of the Act,  
22 to be transferred to the National Service Trust: *Provided*  
23 *further*, That the Corporation may use up to one percent  
24 of program grant funds made available under this heading

1 to defray its costs of conducting grant application reviews,  
2 including the use of outside peer reviewers.

3 SALARIES AND EXPENSES

4 For necessary expenses of administration as provided  
5 under section 501(a)(4) of the National and Community  
6 Service Act of 1990 (42 U.S.C. 12501 et seq.) including  
7 payment of salaries, authorized travel, hire of passenger  
8 motor vehicles, the rental of conference rooms in the Dis-  
9 trict of Columbia, the employment of experts and consult-  
10 ants authorized under 5 U.S.C. 3109, and not to exceed  
11 \$2,500 for official reception and representation expenses,  
12 \$25,000,000.

13 OFFICE OF INSPECTOR GENERAL

14 For necessary expenses of the Office of Inspector  
15 General in carrying out the Inspector General Act of 1978,  
16 as amended, \$6,000,000, to remain available until Sep-  
17 tember 30, 2006.

18 ADMINISTRATIVE PROVISIONS

19 Notwithstanding any other provision of law, the term  
20 “qualified student loan” with respect to national service  
21 education awards shall mean any loan determined by an  
22 institution of higher education to be necessary to cover  
23 a student’s cost of attendance at such institution and  
24 made, insured, or guaranteed directly to a student by a  
25 State agency, in addition to other meanings under section  
26 148(b)(7) of the National and Community Service Act.

1       Notwithstanding any other provision of law, funds  
2 made available under section 129(d)(5)(B) of the National  
3 and Community Service Act to assist entities in placing  
4 applicants who are individuals with disabilities may be  
5 provided to any entity that receives a grant under section  
6 121 of the Act.

7       The Inspector General of the Corporation for Na-  
8 tional and Community Service shall conduct audits of the  
9 grantees that administer activities under the AmeriCorps  
10 programs and shall levy sanctions in accordance with  
11 standard Inspector General audit resolution procedures  
12 which include, but are not limited to, debarment of any  
13 grantee (or successor in interest or any entity with sub-  
14 stantially the same person or persons in control) that has  
15 been determined to have committed any substantial viola-  
16 tions of the requirements of the AmeriCorps programs, in-  
17 cluding any grantee that has been determined to have vio-  
18 lated the prohibition of using Federal funds to lobby the  
19 Congress: *Provided*, That the Inspector General shall ob-  
20 tain reimbursements in the amount of any misused funds  
21 from any grantee that has been determined to have com-  
22 mitted any substantial violations of the requirements of  
23 the AmeriCorps programs.



1 UNITED STATES COURT OF APPEALS FOR VETERANS

2 CLAIMS

3 SALARIES AND EXPENSES

4 For necessary expenses for the operation of the  
5 United States Court of Appeals for Veterans Claims as  
6 authorized by 38 U.S.C. 7251–7298, \$16,725,000, of  
7 which \$1,100,000 shall be available for the purpose of pro-  
8 viding financial assistance as described, and in accordance  
9 with the process and reporting procedures set forth, under  
10 this heading in Public Law 102–229.

11 DEPARTMENT OF DEFENSE—CIVIL

12 CEMETERIAL EXPENSES, ARMY

13 SALARIES AND EXPENSES

14 For necessary expenses, as authorized by law, for  
15 maintenance, operation, and improvement of Arlington  
16 National Cemetery and Soldiers’ and Airmen’s Home Na-  
17 tional Cemetery, including the purchase of two passenger  
18 motor vehicles for replacement only, and not to exceed  
19 \$1,000 for official reception and representation expenses,  
20 \$29,600,000, to remain available until expended.

1       DEPARTMENT OF HEALTH AND HUMAN SERVICES

2               NATIONAL INSTITUTES OF HEALTH

3       NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH

4                       SCIENCES

5       For necessary expenses for the National Institute of  
6 Environmental Health Sciences in carrying out activities  
7 set forth in section 311(a) of the Comprehensive Environ-  
8 mental Response, Compensation, and Liability Act of  
9 1980, as amended, and section 126(g) of the Superfund  
10 Amendments and Reauthorization Act of 1986,  
11 \$80,486,000.

12       AGENCY FOR TOXIC SUBSTANCES AND DISEASE

13                       REGISTRY

14       TOXIC SUBSTANCES AND ENVIRONMENTAL PUBLIC

15                       HEALTH

16       For necessary expenses for the Agency for Toxic Sub-  
17 stances and Disease Registry (ATSDR) in carrying out  
18 activities set forth in sections 104(i), 111(c)(4), and  
19 111(c)(14) of the Comprehensive Environmental Re-  
20 sponse, Compensation, and Liability Act of 1980  
21 (CERCLA), as amended; section 118(f) of the Superfund  
22 Amendments and Reauthorization Act of 1986 (SARA),  
23 as amended; and section 3019 of the Solid Waste Disposal  
24 Act, as amended, \$76,654,000: *Provided*, That notwith-  
25 standing any other provision of law, in lieu of performing

1 a health assessment under section 104(i)(6) of CERCLA,  
2 the Administrator of ATSDR may conduct other appro-  
3 priate health studies, evaluations, or activities, including,  
4 without limitation, biomedical testing, clinical evaluations,  
5 medical monitoring, and referral to accredited health care  
6 providers: *Provided further*, That in performing any such  
7 health assessment or health study, evaluation, or activity,  
8 the Administrator of ATSDR shall not be bound by the  
9 deadlines in section 104(i)(6)(A) of CERCLA: *Provided*  
10 *further*, That none of the funds appropriated under this  
11 heading shall be available for ATSDR to issue in excess  
12 of 40 toxicological profiles pursuant to section 104(i) of  
13 CERCLA during fiscal year 2005, and existing profiles  
14 may be updated as necessary.

15 ENVIRONMENTAL PROTECTION AGENCY

16 SCIENCE AND TECHNOLOGY

17 For science and technology, including research and  
18 development activities, which shall include research and  
19 development activities under the Comprehensive Environ-  
20 mental Response, Compensation, and Liability Act of  
21 1980, as amended; necessary expenses for personnel and  
22 related costs and travel expenses, including uniforms, or  
23 allowances therefor, as authorized by 5 U.S.C. 5901–  
24 5902; services as authorized by 5 U.S.C. 3109, but at  
25 rates for individuals not to exceed the per diem rate equiv-

1 alent to the maximum rate payable for senior level posi-  
2 tions under 5 U.S.C. 5376; procurement of laboratory  
3 equipment and supplies; other operating expenses in sup-  
4 port of research and development; construction, alteration,  
5 repair, rehabilitation, and renovation of facilities, not to  
6 exceed \$85,000 per project, \$729,029,000, which shall re-  
7 main available until September 30, 2006.

8 ENVIRONMENTAL PROGRAMS AND MANAGEMENT

9 For environmental programs and management, in-  
10 cluding necessary expenses, not otherwise provided for, for  
11 personnel and related costs and travel expenses, including  
12 uniforms, or allowances therefor, as authorized by 5  
13 U.S.C. 5901–5902; services as authorized by 5 U.S.C.  
14 3109, but at rates for individuals not to exceed the per  
15 diem rate equivalent to the maximum rate payable for sen-  
16 ior level positions under 5 U.S.C. 5376; hire of passenger  
17 motor vehicles; hire, maintenance, and operation of air-  
18 craft; purchase of reprints; library memberships in soci-  
19 eties or associations which issue publications to members  
20 only or at a price to members lower than to subscribers  
21 who are not members; construction, alteration, repair, re-  
22 habilitation, and renovation of facilities, not to exceed  
23 \$85,000 per project; and not to exceed \$9,000 for official  
24 reception and representation expenses, \$2,241,476,000,  
25 which shall remain available until September 30, 2006, in-  
26 cluding administrative costs of the brownfields program

1 under the Small Business Liability Relief and Brownfields  
 2 Revitalization Act of 2002: *Provided*, That the funds ap-  
 3 propriated under this heading in Public Law 108–199 and  
 4 by this Act to carry out paragraph (c)(12) of section 118  
 5 of the Federal Water Pollution Control Act, as amended,  
 6 shall remain available until September 30, 2007.

7 OFFICE OF INSPECTOR GENERAL

8 For necessary expenses of the Office of Inspector  
 9 General in carrying out the provisions of the Inspector  
 10 General Act of 1978, as amended, and for construction,  
 11 alteration, repair, rehabilitation, and renovation of facili-  
 12 ties, not to exceed \$85,000 per project, \$37,000,000, to  
 13 remain available until September 30, 2006.

14 BUILDINGS AND FACILITIES

15 For construction, repair, improvement, extension, al-  
 16 teration, and purchase of fixed equipment or facilities of,  
 17 or for use by, the Environmental Protection Agency,  
 18 \$39,000,000, to remain available until expended.

19 HAZARDOUS SUBSTANCE SUPERFUND

20 (INCLUDING TRANSFERS OF FUNDS)

21 For necessary expenses to carry out the Comprehen-  
 22 sive Environmental Response, Compensation, and Liabil-  
 23 ity Act of 1980 (CERCLA), as amended, including sec-  
 24 tions 111(c)(3), (c)(5), (c)(6), and (e)(4) (42 U.S.C.  
 25 9611), and for construction, alteration, repair, rehabilita-  
 26 tion, and renovation of facilities, not to exceed \$85,000

1 per project; \$1,257,537,000, to remain available until ex-  
2 pended, consisting of such sums as are available in the  
3 Trust Fund upon the date of enactment of this Act as  
4 authorized by section 517(a) of the Superfund Amend-  
5 ments and Reauthorization Act of 1986 (SARA) and up  
6 to \$1,257,537,000 as a payment from general revenues  
7 to the Hazardous Substance Superfund for purposes as  
8 authorized by section 517(b) of SARA, as amended: *Pro-*  
9 *vided*, That funds appropriated under this heading may  
10 be allocated to other Federal agencies in accordance with  
11 section 111(a) of CERCLA: *Provided further*, That of the  
12 funds appropriated under this heading, \$13,000,000 shall  
13 be transferred to the “Office of Inspector General” appro-  
14 priation to remain available until September 30, 2006,  
15 and \$36,097,000 shall be transferred to the “Science and  
16 technology” appropriation to remain available until Sep-  
17 tember 30, 2006.

18 LEAKING UNDERGROUND STORAGE TANK PROGRAM

19 For necessary expenses to carry out leaking under-  
20 ground storage tank cleanup activities authorized by sec-  
21 tion 205 of the Superfund Amendments and Reauthoriza-  
22 tion Act of 1986, and for construction, alteration, repair,  
23 rehabilitation, and renovation of facilities, not to exceed  
24 \$85,000 per project, \$74,000,000, to remain available  
25 until expended.

## 1 OIL SPILL RESPONSE

2 For expenses necessary to carry out the Environ-  
3 mental Protection Agency’s responsibilities under the Oil  
4 Pollution Act of 1990, \$16,000,000, to be derived from  
5 the Oil Spill Liability trust fund, to remain available until  
6 expended.

## 7 STATE AND TRIBAL ASSISTANCE GRANTS

8 For environmental programs and infrastructure as-  
9 sistance, including capitalization grants for State revolv-  
10 ing funds and performance partnership grants,  
11 \$3,359,027,000, to remain available until expended, of  
12 which \$850,000,000 shall be for making capitalization  
13 grants for the Clean Water State Revolving Funds under  
14 title VI of the Federal Water Pollution Control Act, as  
15 amended (the “Act”), of which up to \$50,000,000 shall  
16 be available for loans, including interest free loans as au-  
17 thorized by 33 U.S.C. 1383(d)(1)(A), to municipal, inter-  
18 municipal, interstate, or State agencies or nonprofit enti-  
19 ties for projects that provide treatment for or that mini-  
20 mize sewage or stormwater discharges using one or more  
21 approaches which include, but are not limited to, decen-  
22 tralized or distributed stormwater controls, decentralized  
23 wastewater treatment, low-impact development practices,  
24 conservation easements, stream buffers, or wetlands res-  
25 toration; \$845,000,000 shall be for capitalization grants  
26 for the Drinking Water State Revolving Funds under sec-

tion 1452 of the Safe Drinking Water Act, as amended;  
\$50,000,000 shall be for architectural, engineering, plan-  
ning, design, construction and related activities in connec-  
tion with the construction of high priority water and  
wastewater facilities in the area of the United States-Mex-  
ico Border, after consultation with the appropriate border  
commission; \$20,000,000 shall be for grants to the State  
of Alaska to address drinking water and waste infrastruc-  
ture needs of rural and Alaska Native Villages;  
\$323,400,000 shall be for making grants for the construc-  
tion of drinking water, wastewater and storm water infra-  
structure and for water quality protection in accordance  
with the terms and conditions specified for such grants  
in the report accompanying this legislation; \$95,000,000  
shall be to carry out section 104(k) of the Comprehensive  
Environmental Response, Compensation, and Liability Act  
of 1980 (CERCLA), as amended, including grants, inter-  
agency agreements, and associated program support costs;  
\$4,000,000 shall be for a grant to Puerto Rico for drink-  
ing water infrastructure improvements to the  
Metropolitano community water system in San Juan;  
\$10,000,000 for a cost-shared grant program to school  
districts for necessary upgrades of their diesel bus fleets;  
and \$1,161,627,000 shall be for grants, including associ-  
ated program support costs, to States, federally recognized



1 tribes, interstate agencies, tribal consortia, and air pollu-  
2 tion control agencies for multi-media or single media pol-  
3 lution prevention, control and abatement and related ac-  
4 tivities, including activities pursuant to the provisions set  
5 forth under this heading in Public Law 104–134, and for  
6 making grants under section 103 of the Clean Air Act for  
7 particulate matter monitoring and data collection activi-  
8 ties of which and subject to terms and conditions specified  
9 by the Administrator, of which \$50,000,000 shall be for  
10 carrying out section 128 of CERCLA, as amended, and  
11 \$19,500,000 shall be for Environmental Information Ex-  
12 change Network grants, including associated program  
13 support costs, and \$14,500,000 shall be for making com-  
14 petitive targeted watershed grants: *Provided further*, That  
15 for fiscal year 2005, State authority under section 302(a)  
16 of Public Law 104–182 shall remain in effect: *Provided*  
17 *further*, That notwithstanding section 603(d)(7) of the  
18 Act, the limitation on the amounts in a State water pollu-  
19 tion control revolving fund that may be used by a State  
20 to administer the fund shall not apply to amounts included  
21 as principal in loans made by such fund in fiscal year 2005  
22 and prior years where such amounts represent costs of ad-  
23 ministering the fund to the extent that such amounts are  
24 or were deemed reasonable by the Administrator, ac-  
25 counted for separately from other assets in the fund, and

1 used for eligible purposes of the fund, including adminis-  
2 tration: *Provided further*, That for fiscal year 2005, and  
3 notwithstanding section 518(f) of the Act, the Adminis-  
4 trator is authorized to use the amounts appropriated for  
5 any fiscal year under section 319 of that Act to make  
6 grants to Indian tribes pursuant to sections 319(h) and  
7 518(e) of that Act: *Provided further*, That for fiscal year  
8 2005, notwithstanding the limitation on amounts in sec-  
9 tion 518(c) of the Act, up to a total of 1½ percent of  
10 the funds appropriated for State Revolving Funds under  
11 title VI of that Act may be reserved by the Administrator  
12 for grants under section 518(c) of such Act: *Provided fur-*  
13 *ther*, That no funds provided by this legislation to address  
14 the water, wastewater and other critical infrastructure  
15 needs of the colonias in the United States along the  
16 United States-Mexico border shall be made available to a  
17 county or municipal government unless that government  
18 has established an enforceable local ordinance, or other  
19 zoning rule, which prevents in that jurisdiction the devel-  
20 opment or construction of any additional colonia areas, or  
21 the development within an existing colonia the construc-  
22 tion of any new home, business, or other structure which  
23 lacks water, wastewater, or other necessary infrastructure:  
24 *Provided further*, That the referenced statement of the  
25 managers under this heading in Public Law 108–07, in

1 reference to item number 471, is deemed to be amended  
2 by striking everything after “for” and inserting, “for  
3 water infrastructure improvements”: *Provided further*,  
4 That the referenced statement of the managers under this  
5 heading in Public Law 108–199, in reference to item num-  
6 ber 22, is deemed to be amended by striking everything  
7 after “22.” and inserting, “\$200,000 to Jackson County,  
8 Alabama, for water system improvements and \$200,000  
9 to the City of Muscle Shoals, Alabama, for water and  
10 sewer infrastructure improvements”: *Provided further*,  
11 That the referenced statement of the managers under this  
12 heading in Public Law 108–199, in reference to item num-  
13 ber 158, is deemed to be amended by inserting “water  
14 and” after “for”.

15 ADMINISTRATIVE PROVISIONS

16 For fiscal year 2005, notwithstanding 31 U.S.C.  
17 6303(1) and 6305(1), the Administrator of the Environ-  
18 mental Protection Agency, in carrying out the Agency’s  
19 function to implement directly Federal environmental pro-  
20 grams required or authorized by law in the absence of an  
21 acceptable tribal program, may award cooperative agree-  
22 ments to federally-recognized Indian Tribes or Intertribal  
23 consortia, if authorized by their member Tribes, to assist  
24 the Administrator in implementing Federal environmental  
25 programs for Indian Tribes required or authorized by law,  
26 except that no such cooperative agreements may be award-

1 ed from funds designated for State financial assistance  
2 agreements.

3       The Administrator of the Environmental Protection  
4 Agency is authorized to collect and obligate pesticide reg-  
5 istration service fees in accordance with section 33 of the  
6 Federal Insecticide, Fungicide, and Rodenticide Act (as  
7 added by subsection (f)(2) of the Pesticide Registration  
8 Improvement Act of 2003), as amended.

9       Notwithstanding CERCLA 104(k)(4)(B)(i)(IV), ap-  
10 propriated funds for fiscal year 2005 may be used to  
11 award grants or loans under section 104(k) of CERCLA  
12 to eligible entities that satisfy all of the elements set forth  
13 in CERCLA section 101(40) to qualify as a bona fide pro-  
14 spective purchaser except that the date of acquisition of  
15 the property was prior to the date of enactment of the  
16 Small Business Liability Relief and Brownfield Revitaliza-  
17 tion Act of 2001.

18       The Administrator may hereafter receive and use  
19 funds contributed by a non-Federal sponsor as its share  
20 of the cost of a project to carry out a project under para-  
21 graph (c)(12) of section 118 of the Federal Water Pollu-  
22 tion Control Act, as amended.

23       Notwithstanding any other provision of law, the Envi-  
24 ronmental Protection Agency and the New York State De-  
25 partment of Environmental Conservation are authorized

1 to award a \$2,000,000 grant to the Town of Wheatfield,  
2 Niagara County, New York for the construction of sani-  
3 tary collector sewers from funds reallocated to the State of  
4 New York under title II of the Clean Water Act.

5 EXECUTIVE OFFICE OF THE PRESIDENT

6 OFFICE OF SCIENCE AND TECHNOLOGY POLICY

7 For necessary expenses of the Office of Science and  
8 Technology Policy, in carrying out the purposes of the Na-  
9 tional Science and Technology Policy, Organization, and  
10 Priorities Act of 1976 (42 U.S.C. 6601 and 6671), hire  
11 of passenger motor vehicles, and services as authorized by  
12 5 U.S.C. 3109, not to exceed \$2,500 for official reception  
13 and representation expenses, and rental of conference  
14 rooms in the District of Columbia, \$7,081,000.

15 COUNCIL ON ENVIRONMENTAL QUALITY AND OFFICE OF

16 ENVIRONMENTAL QUALITY

17 For necessary expenses to continue functions as-  
18 signed to the Council on Environmental Quality and Office  
19 of Environmental Quality pursuant to the National Envi-  
20 ronmental Policy Act of 1969, the Environmental Quality  
21 Improvement Act of 1970, and Reorganization Plan No.  
22 1 of 1977, and not to exceed \$750 for official reception  
23 and representation expenses, \$3,284,000: *Provided*, That  
24 notwithstanding section 202 of the National Environ-  
25 mental Policy Act of 1970, the Council shall consist of  
26 one member, appointed by the President, by and with the

1 advice and consent of the Senate, serving as chairman and  
2 exercising all powers, functions, and duties of the Council.

3 FEDERAL DEPOSIT INSURANCE CORPORATION

4 OFFICE OF INSPECTOR GENERAL

5 For necessary expenses of the Office of Inspector  
6 General in carrying out the provisions of the Inspector  
7 General Act of 1978, as amended, \$30,125,000, to be de-  
8 rived from the Bank Insurance Fund, the Savings Asso-  
9 ciation Insurance Fund, and the FSLIC Resolution Fund.

10 GENERAL SERVICES ADMINISTRATION

11 FEDERAL CITIZEN INFORMATION CENTER FUND

12 For necessary expenses of the Federal Citizen Infor-  
13 mation Center, including services authorized by 5 U.S.C.  
14 3109, \$14,907,000, to be deposited into the Federal Cit-  
15 izen Information Center Fund: *Provided*, That the appro-  
16 priations, revenues, and collections deposited into the  
17 Fund shall be available for necessary expenses of Federal  
18 Citizen Information Center activities in the aggregate  
19 amount not to exceed \$27,000,000. Appropriations, reve-  
20 nues, and collections accruing to this Fund during fiscal  
21 year 2005 in excess of such amount shall remain in the  
22 Fund and shall not be available for expenditure except as  
23 authorized in appropriations Acts.

1 UNITED STATES INTERAGENCY COUNCIL ON  
2 HOMELESSNESS  
3 OPERATING EXPENSES

4 For necessary expenses (including payment of sala-  
5 ries, authorized travel, hire of passenger motor vehicles,  
6 the rental of conference rooms in the District of Columbia,  
7 and the employment of experts and consultants under sec-  
8 tion 3109 of title 5, United States Code) of the Inter-  
9 agency Council on Homelessness in carrying out the func-  
10 tions pursuant to title II of the McKinney-Vento Homeless  
11 Assistance Act, as amended, \$1,500,000.

12 NATIONAL AERONAUTICS AND SPACE ADMINISTRATION  
13 SCIENCE, AERONAUTICS AND EXPLORATION  
14 (INCLUDING TRANSFER OF FUNDS)

15 For necessary expenses, not otherwise provided for,  
16 in the conduct and support of science, aeronautics and ex-  
17 ploration research and development activities, including  
18 research, development, operations, support and services;  
19 maintenance; construction of facilities including repair, re-  
20 habilitation, revitalization, and modification of facilities,  
21 construction of new facilities and additions to existing fa-  
22 cilities, facility planning and design, and restoration, and  
23 acquisition or condemnation of real property, as author-  
24 ized by law; environmental compliance and restoration;  
25 space flight, spacecraft control and communications activi-

1 ties including operations, production, and services; pro-  
2 gram management; personnel and related costs, including  
3 uniforms or allowances therefor, as authorized by 5 U.S.C.  
4 5901–5902; travel expenses; purchase and hire of pas-  
5 senger motor vehicles; not to exceed \$35,000 for official  
6 reception and representation expenses; and purchase,  
7 lease, charter, maintenance and operation of mission and  
8 administrative aircraft, \$7,621,169,000, to remain avail-  
9 able until September 30, 2006, of which amounts as deter-  
10 mined by the Administrator for salaries and benefits;  
11 training, travel and awards; facility and related costs; in-  
12 formation technology services; science, engineering, fabri-  
13 cating and testing services; and other administrative serv-  
14 ices may be transferred to “Exploration capabilities” in  
15 accordance with section 312(b) of the National Aero-  
16 nautics and Space Act of 1958, as amended by Public Law  
17 106–377.

18 EXPLORATION CAPABILITIES

19 (INCLUDING TRANSFER OF FUNDS)

20 For necessary expenses, not otherwise provided for,  
21 in the conduct and support of exploration capabilities re-  
22 search and development activities, including research, de-  
23 velopment, operations, support and services; maintenance;  
24 construction of facilities including repair, rehabilitation,  
25 revitalization and modification of facilities, construction of  
26 new facilities and additions to existing facilities, facility



1 planning and design, and acquisition or condemnation of  
2 real property, as authorized by law; environmental compli-  
3 ance and restoration; space flight, spacecraft control and  
4 communications activities including operations, produc-  
5 tion, and services; program management; personnel and  
6 related costs, including uniforms or allowances therefor,  
7 as authorized by 5 U.S.C. 5901–5902; travel expenses;  
8 purchase and hire of passenger motor vehicles; not to ex-  
9 ceed \$35,000 for official reception and representation ex-  
10 penses; and purchase, lease, charter, maintenance and op-  
11 eration of mission and administrative aircraft,  
12 \$7,496,800,000, to remain available until September 30,  
13 2006, of which amounts as determined by the Adminis-  
14 trator for salaries and benefits; training, travel and  
15 awards; facility and related costs; information technology  
16 services; science, engineering, fabricating and testing serv-  
17 ices; and other administrative services may be transferred  
18 to “Science, aeronautics and exploration” in accordance  
19 with section 312(b) of the National Aeronautics and Space  
20 Act of 1958, as amended by Public Law 106–377.

21 OFFICE OF INSPECTOR GENERAL

22 For necessary expenses of the Office of Inspector  
23 General in carrying out the Inspector General Act of 1978,  
24 as amended, \$31,400,000.

## ADMINISTRATIVE PROVISIONS

1  
2       Notwithstanding the limitation on the availability of  
3 funds appropriated for “Science, aeronautics and explo-  
4 ration”, or “Exploration capabilities” by this appropria-  
5 tions Act, when any activity has been initiated by the in-  
6 currence of obligations for construction of facilities or en-  
7 vironmental compliance and restoration activities as au-  
8 thorized by law, such amount available for such activity  
9 shall remain available until expended. This provision does  
10 not apply to the amounts appropriated for institutional  
11 minor revitalization and construction of facilities, and in-  
12 stitutional facility planning and design.

13       Notwithstanding the limitation on the availability of  
14 funds appropriated for “Science, aeronautics and explo-  
15 ration”, or “Exploration capabilities” by this appropria-  
16 tions Act, the amounts appropriated for construction of  
17 facilities shall remain available until September 30, 2007.

18       The unexpired balances of prior appropriations to  
19 NASA for activities for which funds are provided under  
20 this Act may be transferred to the new account established  
21 for the appropriation that provides such activity under this  
22 Act. Balances so transferred may be merged with funds  
23 in the newly established account and thereafter may be  
24 accounted for as one fund under the same terms and con-  
25 ditions.

## 1 NATIONAL CREDIT UNION ADMINISTRATION

## 2 CENTRAL LIQUIDITY FACILITY

3 During fiscal year 2005, gross obligations of the Cen-  
4 tral Liquidity Facility for the principal amount of new di-  
5 rect loans to member credit unions, as authorized by 12  
6 U.S.C. 1795 et seq., shall not exceed \$1,500,000,000: *Pro-*  
7 *vided*, That administrative expenses of the Central Liquid-  
8 ity Facility in fiscal year 2005 shall not exceed \$310,000.

## 9 COMMUNITY DEVELOPMENT REVOLVING LOAN FUND

10 For the Community Development Revolving Loan  
11 Fund program as authorized by 42 U.S.C. 9812, 9822  
12 and 9910, \$1,000,000 shall be available: *Provided*, That  
13 of this amount \$200,000, together with amounts of prin-  
14 cipal and interest on loans repaid, is available until ex-  
15 pended for loans to community development credit unions,  
16 and \$800,000 is available until September 30, 2006 for  
17 technical assistance to low-income and community devel-  
18 opment credit unions.

## 19 NATIONAL SCIENCE FOUNDATION

## 20 RESEARCH AND RELATED ACTIVITIES

21 For necessary expenses in carrying out the National  
22 Science Foundation Act of 1950, as amended (42 U.S.C.  
23 1861–1875), and the Act to establish a National Medal  
24 of Science (42 U.S.C. 1880–1881); services as authorized  
25 by 5 U.S.C. 3109; maintenance and operation of aircraft  
26 and purchase of flight services for research support; and

1 acquisition of aircraft; \$4,151,745,000, of which not to ex-  
2 ceed \$350,000,000 shall remain available until expended  
3 for Polar research and operations support, and for reim-  
4 bursement to other Federal agencies for operational and  
5 science support and logistical and other related activities  
6 for the United States Antarctic program; the balance to  
7 remain available until September 30, 2006: *Provided*,  
8 That receipts for scientific support services and materials  
9 furnished by the National Research Centers and other Na-  
10 tional Science Foundation supported research facilities  
11 may be credited to this appropriation.

12 MAJOR RESEARCH EQUIPMENT AND FACILITIES

13 CONSTRUCTION

14 For necessary expenses for the acquisition, construc-  
15 tion, commissioning, and upgrading of major research  
16 equipment, facilities, and other such capital assets pursu-  
17 ant to the National Science Foundation Act of 1950, as  
18 amended, including authorized travel, \$208,200,000, to  
19 remain available until expended.

20 EDUCATION AND HUMAN RESOURCES

21 For necessary expenses in carrying out science and  
22 engineering education and human resources programs and  
23 activities pursuant to the National Science Foundation  
24 Act of 1950, as amended (42 U.S.C. 1861–1875), includ-  
25 ing services as authorized by 5 U.S.C. 3109, and rental  
26 of conference rooms in the District of Columbia,

1 \$842,985,000, to remain available until September 30,  
2 2006.

3 SALARIES AND EXPENSES

4 For salaries and expenses necessary in carrying out  
5 the National Science Foundation Act of 1950, as amended  
6 (42 U.S.C. 1861–1875); services authorized by 5 U.S.C.  
7 3109; hire of passenger motor vehicles; not to exceed  
8 \$9,000 for official reception and representation expenses;  
9 uniforms or allowances therefor, as authorized by 5 U.S.C.  
10 5901–5902; rental of conference rooms in the District of  
11 Columbia; and reimbursement of the General Services Ad-  
12 ministration for security guard services; \$249,970,000:  
13 *Provided*, That contracts may be entered into under “Sal-  
14 aries and expenses” in fiscal year 2005 for maintenance  
15 and operation of facilities, and for other services, to be  
16 provided during the next fiscal year.

17 OFFICE OF THE NATIONAL SCIENCE BOARD

18 For necessary expenses (including payment of sala-  
19 ries, authorized travel, hire of passenger motor vehicles,  
20 the rental of conference rooms in the District of Columbia,  
21 and the employment of experts and consultants under sec-  
22 tion 3109 of title 5, United States Code) involved in car-  
23 rying out section 4 of the National Science Foundation  
24 Act of 1950 (42 U.S.C. 1863) and Public Law 86–209  
25 (42 U.S.C. 1880 et seq.), \$3,950,000: *Provided*, That not

1 more than \$9,000 shall be available for official reception  
2 and representation expenses.

3 OFFICE OF THE INSPECTOR GENERAL

4 For necessary expenses of the Office of Inspector  
5 General as authorized by the Inspector General Act of  
6 1978, as amended, \$10,110,000, to remain available until  
7 September 30, 2006.

8 NEIGHBORHOOD REINVESTMENT CORPORATION

9 PAYMENT TO THE NEIGHBORHOOD REINVESTMENT

10 CORPORATION

11 For payment to the Neighborhood Reinvestment Cor-  
12 poration for use in neighborhood reinvestment activities,  
13 as authorized by the Neighborhood Reinvestment Corpora-  
14 tion Act (42 U.S.C. 8101–8107), \$115,000,000.

15 SELECTIVE SERVICE SYSTEM

16 SALARIES AND EXPENSES

17 For necessary expenses of the Selective Service Sys-  
18 tem, including expenses of attendance at meetings and of  
19 training for uniformed personnel assigned to the Selective  
20 Service System, as authorized by 5 U.S.C. 4101–4118 for  
21 civilian employees; purchase of uniforms, or allowances  
22 therefor, as authorized by 5 U.S.C. 5901–5902; hire of  
23 passenger motor vehicles; services as authorized by 5  
24 U.S.C. 3109; and not to exceed \$750 for official reception  
25 and representation expenses; \$26,300,000: *Provided*, That  
26 during the current fiscal year, the President may exempt

1 this appropriation from the provisions of 31 U.S.C. 1341,  
2 whenever the President deems such action to be necessary  
3 in the interest of national defense: *Provided further*, That  
4 none of the funds appropriated by this Act may be ex-  
5 pended for or in connection with the induction of any per-  
6 son into the Armed Forces of the United States.

7 WHITE HOUSE COMMISSION ON THE NATIONAL  
8 MOMENT OF REMEMBRANCE

9 For necessary expenses of the White House Commis-  
10 sion on the National Moment of Remembrance, \$250,000.

11 TITLE IV—GENERAL PROVISIONS

12 SEC. 401. No part of any appropriation contained in  
13 this Act shall remain available for obligation beyond the  
14 current fiscal year unless expressly so provided herein.

15 SEC. 402. No funds appropriated by this Act may be  
16 expended—

17 (1) pursuant to a certification of an officer or  
18 employee of the United States unless—

19 (A) such certification is accompanied by,  
20 or is part of, a voucher or abstract which de-  
21 scribes the payee or payees and the items or  
22 services for which such expenditure is being  
23 made; or

24 (B) the expenditure of funds pursuant to  
25 such certification, and without such a voucher

1           or abstract, is specifically authorized by law;  
2           and

3           (2) unless such expenditure is subject to audit  
4       by the General Accounting Officer or is specifically  
5       exempt by law from such audit.

6       SEC. 403. None of the funds provided in this Act to  
7   any department or agency may be obligated or expended  
8   for: (1) the transportation of any officer or employee of  
9   such department or agency between the domicile and the  
10  place of employment of the officer or employee, with the  
11  exception of an officer or employee authorized such trans-  
12  portation under 31 U.S.C. 1344 or 5 U.S.C. 7905 or (2)  
13  to provide a cook, chauffeur, or other personal servants  
14  to any officer or employee of such department or agency.

15       SEC. 404. None of the funds provided in this Act may  
16  be used for payment, through grants or contracts, to re-  
17  cipients that do not share in the cost of conducting re-  
18  search resulting from proposals not specifically solicited  
19  by the Government: *Provided*, That the extent of cost  
20  sharing by the recipient shall reflect the mutuality of in-  
21  terest of the grantee or contractor and the Government  
22  in the research.

23       SEC. 405. None of the funds provided in this Act may  
24  be used, directly or through grants, to pay or to provide  
25  reimbursement for payment of the salary of a consultant



1 (whether retained by the Federal Government or a grant-  
2 ee) at more than the daily equivalent of the rate paid for  
3 level IV of the Executive Schedule, unless specifically au-  
4 thorized by law.

5       SEC. 406. None of the funds provided in this Act may  
6 be used to pay the expenses of, or otherwise compensate,  
7 non-Federal parties intervening in regulatory or adjudica-  
8 tory proceedings. Nothing herein affects the authority of  
9 the Consumer Product Safety Commission pursuant to  
10 section 7 of the Consumer Product Safety Act (15 U.S.C.  
11 2056 et seq.).

12       SEC. 407. Except as otherwise provided under exist-  
13 ing law, or under an existing Executive order issued pur-  
14 suant to an existing law, the obligation or expenditure of  
15 any appropriation under this Act for contracts for any  
16 consulting service shall be limited to contracts which are:  
17 (1) a matter of public record and available for public in-  
18 spection; and (2) thereafter included in a publicly available  
19 list of all contracts entered into within 24 months prior  
20 to the date on which the list is made available to the public  
21 and of all contracts on which performance has not been  
22 completed by such date. The list required by the preceding  
23 sentence shall be updated quarterly and shall include a  
24 narrative description of the work to be performed under  
25 each such contract.

1       SEC. 408. None of the funds appropriated in this Act  
2 may be used to implement any cap on reimbursements to  
3 grantees for indirect costs, except as published in Office  
4 of Management and Budget Circular A-21.

5       SEC. 409. Such sums as may be necessary for fiscal  
6 year 2005 pay raises for programs funded by this Act shall  
7 be absorbed within the levels appropriated in this Act.

8       SEC. 410. (a) It is the sense of the Congress that,  
9 to the greatest extent practicable, all equipment and prod-  
10 ucts purchased with funds made available in this Act  
11 should be American-made.

12       (b) In providing financial assistance to, or entering  
13 into any contract with, any entity using funds made avail-  
14 able in this Act, the head of each Federal agency, to the  
15 greatest extent practicable, shall provide to such entity a  
16 notice describing the statement made in subsection (a) by  
17 the Congress.

18       SEC. 411. None of the funds made available in this  
19 Act may be used for any program, project, or activity,  
20 when it is made known to the Federal entity or official  
21 to which the funds are made available that the program,  
22 project, or activity is not in compliance with any Federal  
23 law relating to risk assessment, the protection of private  
24 property rights, or unfunded mandates.

1        SEC. 412. Except in the case of entities that are  
2 funded solely with Federal funds or any natural persons  
3 that are funded under this Act, none of the funds in this  
4 Act shall be used for the planning or execution of any pro-  
5 gram to pay the expenses of, or otherwise compensate,  
6 non-Federal parties to lobby or litigate in respect to adju-  
7 dicatory proceedings funded in this Act. A chief executive  
8 officer of any entity receiving funds under this Act shall  
9 certify that none of these funds have been used to engage  
10 in the lobbying of the Federal Government or in litigation  
11 against the United States unless authorized under existing  
12 law.

13        SEC. 413. No part of any funds appropriated in this  
14 Act shall be used by an agency of the executive branch,  
15 other than for normal and recognized executive-legislative  
16 relationships, for publicity or propaganda purposes, and  
17 for the preparation, distribution or use of any kit, pam-  
18 phlet, booklet, publication, radio, television or film presen-  
19 tation designed to support or defeat legislation pending  
20 before the Congress, except in presentation to the Con-  
21 gress itself.

22        SEC. 414. All departments and agencies funded under  
23 this Act are encouraged, within the limits of the existing  
24 statutory authorities and funding, to expand their use of  
25 “E-Commerce” technologies and procedures in the con-

1 duct of their business practices and public service activi-  
2 ties.

3 SEC. 415. None of the funds made available in this  
4 Act may be transferred to any department, agency, or in-  
5 strumentality of the United States Government except  
6 pursuant to a transfer made by, or transfer authority pro-  
7 vided in, this Act or any other appropriation Act.

8 SEC. 416. None of the funds provided in this Act to  
9 any department or agency shall be obligated or expended  
10 to procure passenger automobiles as defined in 15 U.S.C.  
11 2001 with an EPA estimated miles per gallon average of  
12 less than 22 miles per gallon.

13 SEC. 417. Section 313 of the National Aeronautics  
14 and Space Administration Act of 1958, as amended, is  
15 further amended in subsection (a) by striking “Space  
16 flight capabilities” and inserting “Exploration capabili-  
17 ties”.

18 SEC. 418. None of the funds made available in this  
19 Act may be used to implement any policy prohibiting the  
20 Directors of the Veterans Integrated Service Networks  
21 from conducting outreach or marketing to enroll new vet-  
22 erans within their respective Networks.

23 SEC. 419. Of the amounts available to the National  
24 Aeronautics and Space Administration, such sums as  
25 maybe necessary for the benefit of the families of the as-

1   tronauts who died on board the Space Shuttle Columbia  
2   on February 1, 2003, are available under the terms of sec-  
3   tion 203(c)(13) of the National Aeronautics and Space  
4   Act of 1958, as amended, independent of the limitations  
5   established therein.

6       SEC. 420. Section 315(a) of the National Aeronautics  
7   and Space Act of 1958 (42 U.S.C. 2459(a)) is amended  
8   by striking “two (2)” and inserting “4”.

9       This Act may be cited as the “Departments of Vet-  
10   erans Affairs and Housing and Urban Development, and  
11   Independent Agencies Appropriations Act, 2005”.

**Union Calendar No. 413**

108TH CONGRESS  
2D SESSION

**H. R. 5041**

**[Report No. 108-674]**

---

---

**A BILL**

Making appropriations for the Departments of Veterans Affairs and Housing and Urban Development, and for sundry independent agencies, boards, commissions, corporations, and offices for the fiscal year ending September 30, 2005, and for other purposes.

---

---

SEPTEMBER 9, 2004

Committed to the Committee of the Whole House on the State of the Union and ordered to be printed